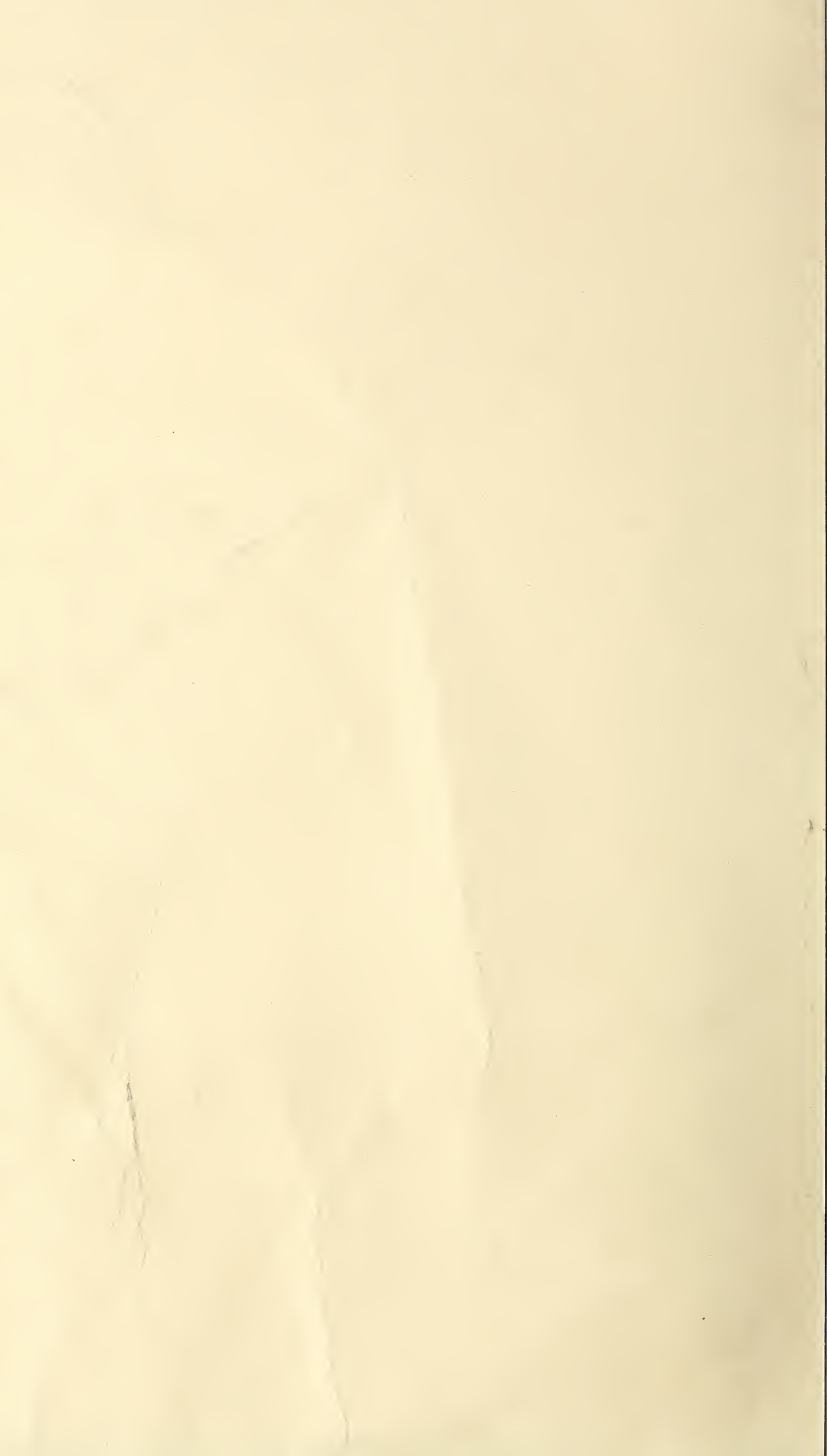


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FOOD AND DRUGS ACT

NOTICES OF JUDGMENT Nos. 7501-8000

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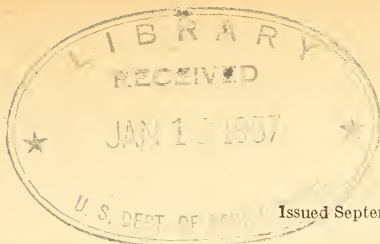
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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 7501-7550.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., September 14, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

7501. Misbranding of Santal Midy Capsules. U. S. * * * v. 897 Bottles of Santal Midy Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10642. I. S. No. 2023-r. S. No. W-429.)

On June 19, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 897 bottles of Santal Midy Capsules, consigned on October 31, 1918, and March 21, 1919, by E. Fougera & Co., New York, N. Y., and C. L. Huisking, New York, N. Y., respectively, remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped and transported from the State of New York into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Santal Midy * * * Essential Oil of Sandal-Wood * * * prepared by Midy's process * * * in the treatment of Gonorrhœa, Gleet and discharges from the urinary organs."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that the capsules contained santal oil.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, appearing on the label of the carton and included in the circular accompanying the article, regarding its curative and therapeutic effects for the treatment of gonorrhœa, gleet, discharges from the urinary organs, inflammation of the bladder, suppurative nephritis, catarrh of the bladder, vesical catarrh of old age, congestion of the prostate, and certain other diseases, were false and fraudulent in that it did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On July 11, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7502. Misbranding of Injection Zip. U. S. * * * v. 24 Bottles * * * Injection Zip. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10789. I. S. No. 8823-r. S. No. C-1328.)

On July 14, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 bottles of Injection Zip, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about April 8, 1919, by the Baker-Levy Chemical Co., Indianapolis, Ind., and transported from the State of Indiana into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Injection Zip * * *. Guaranteed by The Baker-Levy Chemical Co. * * * This Injection is an excellent preparation and cannot produce stricture. Relief being speedy;" (circular) "Injection Zip. * * * An Excellent Preparation for the Treatment of Gonorrhoea, Gleet and Leucorrhoea. For Male or Female. * * * Injection Zip will cure the most obstinate cases in from four to five days if the following directions are followed."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of lead and zinc salts, opium, berberine, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the product was essentially a hydro-alcoholic solution containing salts of lead and zinc, with opium and berberine, and that the bottles and accompanying circulars bore certain statements, regarding the effects of the article for the treatment of gonorrhoea, gleet, and leucorrhoea, which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the results or effects claimed for it, and in that the product or solution contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it on the circulars and labels.

On August 6, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7503. Misbranding of "Grimault & Co's. Injection." U. S. * * * v. 24 Bottles * * * Grimault & Co's. Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10791. I. S. No. 6982-r. S. No. C-1330.)

On July 14, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 bottles containing a drug solution or product called "Grimault & Co's. Injection," remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about August 4, 1917, by E. Fougere & Co., New York, N. Y., and transported from the State of New York into the State of Wisconsin, and charging misbranding in violation of

the Food and Drugs Act, as amended. The article was labeled in part: (Wrapper) "Grimault and Co's. Injection * * * The Matico plant * * * has been found to have remarkable preventive * * * properties;" (circular) "Matico Injection * * * prepared by Grimault and Co. * * * Matico * * * in the treatment of chronic and acute discharges from the urethra * * * when taken internally acts especially well on all muco-purulent discharges; * * * our injection * * * employed for several years with prompt and satisfactory results; * * * we sought for some time in the vegetable kingdom a substance that would meet the following requirements; rapid cure without fear of disturbances * * * after numerous investigations we decided on the Matico * * * the tests * * * confirmed our speculations, producing wonderful results * * * under its influence recent or old blennorrhagic discharges, even those that resisted other treatments, disappear rapidly * * * Directions for using Matico Injection in cases of Blennorrhagia and Gonorrhoea for men * * * Directions for use in women in cases of catarrh, leucorrhoea * * * Directions for using Matico Injection as a Prophylactic and Preservative."

Misbranding of the article was alleged in substance in the libel for the reason that the product consisted of a dilute aqueous solution containing small amounts of copper sulphate and plant extractives, with matico indicated, and that the statements, appearing on the bottles and contained in the circular wrapped and enclosed with the article, representing it as a treatment or prophylactic for blennorrhœa, gonorrhœa, catarrh, leucorrhœa, and certain other diseases, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results or effects claimed by said labels, wrappers, and circulars, and that said statements were false and fraudulent in that the product or solution contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it on the labels, wrappers, and circulars.

On August 6, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7504. Misbranding of Big G. U. S. * * * v. 60 Bottles * * * Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10792, 10793. I. S. Nos. 6982-r, 6983-r. S. No. C-1327.)

On July 14, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 bottles containing a drug solution or product called "Big G," remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about May 29, 1918, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "Big G a compound of Borated Goldenseal A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membrane or linings of the Nose, Throat, Stomach and Urinary Organs;" (booklet) "Big G * * * Catarrh—Chronic, of the Head.—* * * Conjunctivitis, Inflammation of the Eye.—* * * Coryza—Nasal Catarrh.—* * * Cystitis—Inflammation of the Bladder.—* * * Gastritis—Catarrh of the Stomach.—* * * Haemorrhoids—Piles.—* * * Hay Fever.—* * * Throat

Troubles—Pharyngitis, etc., sore mouth, discharges from the ear and open sores and wounds.—* * * Gonorrhœa.—* * * Gleet—* * * Gonorrhœal Prostatitis.—* * * Gonorrhœal Cystitis.—* * * Balanitis.—* * * Leucorrhœa—Whites—Catarrh of the Vagina.—* * * Gonorrhœa in Women.—* * *.”

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

Misbranding of the article was alleged in substance in the libel for the reason that the product consisted of an aqueous solution of borax and berberine, containing no hydrastine, and that certain statements, borne on the carton and bottle labels and in the booklets or circulars accompanying the article, representing it as a treatment or preventive for catarrh, hay fever, and inflammations, irritations, or ulcerations of mucous membranes or linings of the nose, throat, stomach, and urinary organs, conjunctivitis, cystitis, gastritis, hemorrhoids, piles, throat troubles, gonorrhœa, gleet, leucorrhœa, and certain venereal and other diseases, were false and fraudulent in that the product or solution contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it. Misbranding of the article was alleged for the further reason that it did not contain borated goldenseal, and that the strength and purity of the article fell below the professed standards under which it was sold.

On August 6, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7505. Misbranding of Merz Santal Compound. U. S. * * * v. 5½ Dozen Packages of * * * Merz Santal Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10794. I. S. No. 15757-r. S. No. E-1595.).

On July 2, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5½ dozen packages of a drug known as “Merz Santal Compound,” consigned on or about June 6, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Merz Capsule Co., Detroit, Mich., and transported from the State of Michigan into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: “Merz Santal Compound. Twenty years of unqualified success has placed this remedy in the front rank of reliable cures for affections of the mucous membranes, Catarrh of the Bladder, Inflammation of the Bladder, Vesical Catarrh of Old Age, Difficult Micturition, and other diseases of the genito-urinary organs. * * *.”

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted of balsam copaiba, cassia, sandalwood oil, and a sulphurated oil.

Misbranding of the article was alleged for the reason that certain statements, appearing on the labels of the packages, regarding the curative and therapeutic effects thereof for the treatment or cure of affections of the mucous membranes, catarrh of the bladder, inflammation of the bladder, vesical catarrh of old age, and other diseases of the genito-urinary organs, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On September 13, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7506. Misbranding of Cin-Ko-Na and Iron. U. S. * * * v. 61 Bottles of Cin-Ko-Na and Iron. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10755. I. S. No. 6818-r. S. No. C-1348.)

On July 9, 1919, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 61 bottles of Cin-Ko-Na and Iron, at Houston, Tex., alleging that the article had been shipped on or about March 27, 1919, by the DeLacy Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Texas, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton, in English and German) "DeLacy's Cin-Ko-Na and Iron, a Valuable Remedy for All Blood Diseases, Rheumatism, Catarrh and all Nervous Diseases, * * * Coughs, Colds, Grip, Bronchitis and Catarrh of the Stomach * * * Pimples, Ulcers, Skin Troubles, Scrofula and All Diseases arising from Impure Blood. Nervous Troubles, Neuralgia * * * Sleeplessness, Dizziness, Blues * * * Despondency, Tobacco and Alcoholic Excess, and Nervous Prostration. Malaria, Chills and Fever * * * completely kills all Malaria Germs. Indigestion, Dyspepsia * * * for all Stomach and Bowel Trouble * * * . It Is Of Great Benefit And Most Useful for Consumption, and all Wasting Diseases, Kidney and Bladder Troubles, and Bright's Disease. It Is An Excellent Remedy for Correcting all Female Complaints, Irregularities, Weakness, Painful Menstruation, Whites, and General Debility * * * Builds up the entire Nervous System, Allays Kidney and Bladder Troubles of all kinds * * * Nervous Debility, Paralysis, Headache, etc. * * * Invigorates the Kidneys * * * is a perfect Remedy in all Chronic Diseases peculiar to Women;" (carton, in English, Spanish, and German) "DeLacy's Cin-Ko-Na and Iron. The Medicine that Cures. It is a Positive Guaranteed Cure for Catarrh, Coughs, Colds, Grip, Bronchitis, and Catarrh of the Stomach. Blood Diseases, Rheumatism, Pimples, Ulcers, Skin Troubles, Scrofula and All Diseases arising from Impure Blood. Nervous Troubles, Neuralgia * * * Sleeplessness, Dizziness, Blues * * * Despondency, Tobacco and Alcoholic Excess and Nervous Prostration. Malaria, Chills and Fever, * * * completely kills all Malaria Germs. Indigestion, Dyspepsia, * * * a complete cure for all Stomach and Bowel Troubles. It Is of Great Benefit and Often a Cure for Consumption and all Wasting Diseases, Kidney and Bladder Troubles and Bright's Disease * * * Unequaled * * * for Correcting all Female Complaints, Irregularities, Weakness, Painful Menstruation, Whites and General Debility. It is the Most Powerful Strengthening Blood and System Tonic Made * * * Cures All Blood Diseases, Rheumatism, Catarrh and all Nervous Diseases. Never Fails to Restore Strength. Builds up the entire Nervous System. Cures Kidney and Bladder Troubles of all kinds. Renews Vitality * * * stands unequalled as a Flesh Producer * * * is a cure for * * * All Nervous Diseases. Neuralgia, Nervous Debility, Paralysis, Headache * * * Makes New Rich Blood, Strengthens the Nerves, Invigorates the Kidneys * * * Cures Constipation, and is a perfect Specific in all Chronic Diseases peculiar to Women;" (bottle) "* * * Nervousness, Impure Blood, * * * Malaria, Catarrh

* * * Indigestion * * * sleeplessness * * * Blood Diseases, Rheumatism * * * pimples * * * ”

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of a laxative plant drug, small amounts of quinine, strychnine, iron salts, glycerin, alcohol, and water.

Misbranding of the article was alleged for the reason that the statements, borne on the cartons enclosing, and on the labels on the bottles containing, the article, regarding the curative and therapeutic effects thereof, as above set forth, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it.

On December 8, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7507. Misbranding of Enoob Antiseptic Injection and Enoob Capsules. U. S. * * * v. 18 Bottles of * * * Enoob Antiseptic Injection and 22 Packages of * * * Enoob Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10751. I. S. Nos. 13942-r, 13943-r. S. No. E-1581.)

On June 24, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 bottles of an article labeled in part, “Enoob Antiseptic Injection,” and 22 packages of an article labeled in part, “Enoob Capsules,” remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped on or about December 14, 1917, by the Tropical Co-operative Co., Jacksonville, Fla., and transported from the State of Florida into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles made in the Bureau of Chemistry of this department showed that the injection consisted essentially of a solution of phenol, menthol, thymol, boric acid, and zinc sulphate in water, and that the capsules consisted essentially of cubebs, copaiba, gum turpentine, and pepsin, with indications of santal oil.

Misbranding of the articles was alleged in substance in the libel for the reason that the articles, used singly or in combination, were not capable of producing the therapeutic and curative effects claimed for them on the labels and cartons, and in the circulars and testimonials borne and contained in the bottles and packages, and that said claims were false and fraudulent, and that the said bottles, labels, cartons, circulars, and testimonials bore and contained certain statements as to the curative and therapeutic effects of said articles and of the ingredients and substances contained therein, for the treatment and cure of gonorrhœa, gleet, and other diseases of the bladder and urinary organs, whereas, in truth and in fact, neither of said products contained any ingredients or combination of ingredients capable of producing the effects claimed on the labels and cartons, and in the circulars and testimonials, nor did both of said articles used in combination contain any ingredient or combination of ingredients capable of producing the effects claimed in said statements.

On July 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture:*

7508. Adulteration of mackerel. U. S. * * * v. 27 Cases of Mackerel. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10749. I. S. No. 14006-r. S. No. E-1580.)

On June 24, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 27 cases of mackerel, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about June 9, 1919, by Dench & Hardy Co., Boston, Mass., and transported from the Commonwealth of Massachusetts into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On July 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7509. Misbranding of Injection Zip. U. S. * * * v. 27 Bottles of Injection Zip. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11106. I. S. No. 6243-r. S. No. C-1425.)

On August 23, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 27 bottles of Injection Zip, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about September 24, 1918, by the Baker-Levy Chemical Co., Indianapolis, Ind., and transported from the State of Indiana into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Injection Zip * * * Guaranteed by The Baker-Levy Chemical Co. * * * This Injection is an excellent preparation and cannot produce stricture. Relief being speedy;" (circular) "Injection Zip. * * * An excellent Preparation for the Treatment of Gonorrhoea, Gleet and Leucorrhoea For Male or Female. * * * Injection Zip will aid the most obstinate cases in from four to five days if the following directions are followed."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of salts of lead and zinc, berberine, opium, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, borne on the bottle labels and included in the circular accompanying the article, regarding the curative and therapeutic effects of the article for the treatment of gonorrhoea, gleet, and leucorrhoea, were false and fraudulent in that the product was essentially a hydro-alcoholic solution containing salts of lead and zinc with opium and berberine, and contained no ingredient or combination of ingredients capable of producing the results claimed for it, and for the further reason that it contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it.

On September 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7510. Adulteration and misbranding of olive oil. U. S. * * * v. Nicholas Macris and Peter Razis (Razis & Macris). Pleas of guilty. Fine, \$200. (F. & D. No. 10780. I. S. No. 12533-r.)

On October 15, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Nicholas Macris and Peter Razis, copartners, trading as Razis & Macris, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on August 3, 1918, from the State of New York into the State of Massachusetts, of a quantity of an article, labeled in part, in Greek, "Pure Olive Oil," which was adulterated and misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted of cottonseed oil, and that the cans of the gallon, half-gallon, and quarter-gallon sizes were short volume.

Adulteration of the article was alleged in the information for the reason that a product composed essentially of cottonseed oil and which contained only a trace of, if any, olive oil had been substituted in whole for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "ΠΗΞΙΟΝ ΕΛΑΙΟΝ (Pure Olive Oil) ΚΑΛΑΜΩΝ," "Net Contents Full Quarter Gallon," or "Net Contents Full Half Gallon," or "Net Contents Full One Gallon," not corrected by the statement in inconspicuous type, "A Compound Cotton Seed Oil Flavored With," together with the designs and devices of Greek flags, olive branches, and the figure of Hermes, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the product was pure olive oil, that it was a foreign product, to wit, an olive oil produced in the kingdom of Greece, and that each of said cans contained 1 full quarter gallon, or 1 full half gallon, or 1 full gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, and that it was a foreign product, to wit, olive oil produced in the kingdom of Greece, and that each of said cans contained 1 full quarter gallon, or 1 full half gallon, or 1 full gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a product composed of cottonseed oil with only a trace of, if any, olive oil, and was not a foreign product, to wit, an olive oil produced in the kingdom of Greece, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full quarter gallon or 1 full half gallon, or 1 full gallon net of the article, but contained a less amount, and for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Greece, and for the further reason that it was a product composed of cottonseed oil which contained only a trace of, if any, olive oil, prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil, and for the further reason that, by the statements borne on the label, it purported to

be a foreign product, when not so. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 24, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

7511. Misbranding of Big G. U. S. * * * v. 11½ Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11173. I. S. No. 15130-r. S. No. E-1693.)

On September 8, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11½ dozen bottles of Big G, consigned by the Evans Chemical Co., Cincinnati, Ohio, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about August 12, 1919, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "Big G * * * Abnormal mucous discharges, Catarrh, Hay Fever and Inflamed, Ulcerated mucous membrane or linings of the Mouth, Nose, Throat, Eye, Ear and the Urinary Tract * * *;" (booklet) "Big G * * * Catarrh—Chronic, of the Head.—* * * Big G may be beneficial. * * * Conjunctivitis—Inflammation of the Eye.—* * * Coryza—Nasal Catarrh—* * * Cystitis—Inflammation of the Bladder.—* * * Gastritis—Catarrh of the Stomach.—* * * Haemorrhoids—Piles.—* * * Hay Fever.—* * * Throat Troubles—Pharyngitis, etc., sore mouth, discharges from the ear and open sores and wounds.—* * * Gonorrhoea.—* * * Gleet * * * Gonorrhoeal Prostatitis.—* * * Gonorrhoeal Cystitis.—* * * Balanitis.—* * * Bubo.—* * * Leucorrhoea—Whites—Catarrh of the Vagina. * * * Gonorrhoea in Women.—* * *."

It was alleged in substance in the libel that the article was misbranded in that the labels borne on the carton and bottle and [in] the booklet accompanying the article contained certain statements, designs, and devices, regarding the curative or therapeutic effects of the article and the ingredients and substances contained therein, as above in part set forth, which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by said statements, designs, and devices, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On December 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7512. Misbranding of Her-Vo. U. S. * * * v. 7½ Dozen Bottles of Her-Vo. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11179. I. S. No. 15103-r. S. No. E-1696.)

On September 12, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7½ dozen packages of Her-Vo, consigned by the Her-Vo

Mfg. Co., Camden, N. J., remaining unsold in the original unbroken packages at Allentown, Pa., alleging that the article had been shipped on or about May 27, 1919, and transported from the State of New Jersey into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "Her-Vo * * * An Excellent General and Reconstructive Tonic of Broad Application * * * Recommended and Especially Designed by the Manufacturers for * * * Loss of Strength * * * Malarial Conditions, Stomach, Liver and Bowel Disorders, Rheumatism and General Debility. Valuable in Anemia. * * * Sickness, Nervous Diseases, and Sexual Excess and Weakness. For Building Up the System after Heavy Colds, Fevers, Pregnancy, Nursing, Female Weakness, Change of Life, Nervous Prostration, Suppressed Menses, and for the Debility of Childhood and Old Age. * * *;" (circular) " * * * What is Her-Vo? It is just as is claimed, a General Tonic and a Reconstructive Tonic of broad utility and application. It is a General Tonic because it tends to tone, strengthen and return all the organs, tissues, muscles and nerves to their full, vigorous health and full normal condition, so far as this is at all possible. By 'so far as this is at all possible' we mean it cannot do much for a tubercular, for instance, whose one or both lungs are practically 'gone'. But even then it is a palliative and will do much toward alleviation, relief and perhaps prolonging life. * * * it also tends to rebuild worn-out tissue, eliminates poisonous waste materials stored up in the system * * * actually promoting constructive metamorphosis * * *. What Her-Vo is Recommended For Asthma, Bladder Trouble, Bile (Inactive), Blood Purifier, Bronchial Trouble, Bronchitis, Catarrh (Gastric), Chronic Skin Disorders, Colds, Coughs, Constipation (Chronic), Cramps, Cystitis, Digestive Derangements, Dyspepsia, Flesh (Flabby), Gall Bladder (Inactive), Gastric Catarrh, Glandular Swellings, Headaches (Frontal and Gastric), Heart Palpitation, Hysteria, Indigestion, Intestinal Trouble, Irritable Bladder, Jaundice, Kidney Disorders (Minor), Laryngitis, Liver Torpor, Malaria, Nervous Irritability, Night Sweats (Phthisis), Palpitation of the Heart, Phthisis (Hectic of), Rheumatism (Most Forms), Scrofula, Syphilis, Skin Diseases, Vomiting of Pregnancy. * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of cinchona alkaloids, strychnine, a laxative plant drug, essential oils, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the carton, bottle label, and circular accompanying the article contained statements, designs, and devices, regarding the curative or therapeutic effect thereof and the ingredients or substances contained therein, as set forth above, which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by the said statements, designs, and devices, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On October 7, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7513. Adulteration of gelatin. U. S. * * * v. 1 Barrel of Gelatin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11238. I. S. No. 10511-r. S. No. C-1459.)

On September 16, 1919, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel of gelatin, at Mobile, Ala., alleging that the article had been shipped on or about April 17, 1919, by the W. B. Wood Mfg. Co., St. Louis, Mo., and transported from the State of Missouri into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained added poisonous and other deleterious ingredients, to wit, copper and zinc, in such quantity as to render the article injurious to health.

On December 31, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7514. Adulteration of eggs. U. S. * * * v. 26 Cases of Eggs. Consent decree of condemnation and forfeiture. Good portion ordered sold. Unfit portion ordered destroyed. (F. & D. Nos. 11243, 11244, I. S. Nos. 18786-r, 18787-r. S. Nos. C-1433, C-1434.)

On August 21, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 26 cases of eggs, remaining unsold in the original unbroken packages at Duluth, Minn., alleging that the article had been shipped on or about August 1, 1919, by Ole J. Nordlie, Fairdale, N. Dak., and by the Dahlen Mercantile Co., Dahlen, N. D., and transported from the State of North Dakota into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a decomposed animal substance.

On October 11, 1919, the Dahlen Mercantile Co., Dahlen, N. D., and Wilson & Co., Duluth, Minn., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the good portion of the product be sold and the unfit portion be destroyed.

E. D. BALL, *Acting Secretary of Agriculture.*

7515. Adulteration of raisins. U. S. * * * v. 1300 Packages or Boxes of Raisins. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11246. I. S. No. 7740-r. S. No. C-1467.)

On September 23, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1300 packages or boxes of raisins, remaining unsold in the original unbroken packages at Hancock, Mich., alleging that the article had been shipped on or about July 27, 1919, by E. Y. Foley, Fresno, Calif., and transported from the State of California into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that certain substances, namely, sand and grit, to the amount and quantity upon an average of, to wit, 1.45 per cent, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength. Adulteration of the article was alleged for the further reason that it consisted in whole or in part of a filthy vegetable substance, namely, straw and other filth and dirt.

On December 19, 1919, Daniel J. Coyne, Hancock, Mich., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$3,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7516. Misbranding of Rid-It Caps. U. S. * * * v. 6 Dozen Packages of Rid-It Caps. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10623. I. S. No. 15018-r. S. No. E-1536.)

On June 16, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen packages of Rid-It Caps, consigned by the S. Pfeiffer Mfg. Co., East St. Louis, Ill., remaining unsold in the original unbroken packages at Chester, Pa., alleging that the article had been shipped on or about June 20, 1918, and transported from the State of Illinois into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Carton) "Rid-It Caps to rid Gonorrhea & Gleet. The Modern Remedy. Recommended for Catarrh of the Bladder and All Other Discharges. For Pains in the Back, Loins and Sides, Cloudy or Scalding Urine, and all General Kidney Disorders;" (circular) "Rid-It Caps * * * Particularly Serviceable in the Treatment of Gonorrhea and Gleet Rheumatic pains when due to uric acid, Urinary troubles, such as scanty urine, or to frequent desire to urinate. * * * burning sensation, irritation of the bladder, backache or weak back, constant thirst, restlessness, pain in the groin or * * * functional activity of the Kidneys and is invariably beneficial in chronic valvular affections;" (box) "Rid-It Caps to rid Gonorrhea and Gleet A Most Valuable Remedy for The Kidneys."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of salol, oils of juniper and sassafras, turpentine, a fixed oil, and coloring matter.

Misbranding of the article was alleged in substance in the libel for the reason that the label, carton, and circular accompanying the article contained certain statements, regarding the curative or therapeutic effects of the article and the ingredients or substances contained therein, for the treatment of gonorrhœa, gleet, catarrh of the bladder, all other discharges, rheumatic pains where due to uric acid, urinary troubles, chronic valvular troubles, and certain other diseases, which statements were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by said statements, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On July 8, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7517. Misbranding of Lopez Specific Standard Compound. U. S. * * * v. 27 Bottles of Lopez Specific Standard Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10626. I. S. No. 7672-r. S. No. C-1298.)

On June 18, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel for the seizure and condemnation of 27 bottles of Lopez Specific Standard Compound, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about May 20, 1919, by J. A. Riggs, Wichita, Kans., and transported from the State of Kansas into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Lopez Specific Standard Compound A vegetable remedy, except 2 per cent * * * Guaranteed by Lopez Remedy Co., Wichita, Kansas;" (bottle carton) "Lopez Specific Standard Compound. We, the undersigned, do hereby guarantee the contents of this bottle of Lopez Specific (Standard Compound) compounded and sold by us to be a vegetable remedy, except 15½% alcohol, small % Potassium Iodide;" (carton) "One of the Greatest of Medical Discoveries Lopez Specific Standard Compound A Remedy for Acquired and Hereditary Blood Poison and Scrofula, Rheumatism, Alcoholism, Catarrh, Malaria, Jaundice, Dropsy, Gout, etc. * * * It is a very speedy treatment for Blood Diseases, a general cleanser, purifier and renovator of the entire system. In all cases of Dyspepsia, Indigestion * * * its action will be found perfect * * *;" (circular) "Directions for the use of Lopez [Standard] * * * When using Lopez for Dropsy, Rheumatism and Eczema * * *. This remedy will perfect your digestion * * *. The use of Lopez along the lines outlined above has given the desired results to thousands in two or six months when other treatments failed. * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of unidentified plant extractives, a small amount of potassium iodid, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the bottles failed to bear a statement on the label of the quantity or proportion of alcohol contained therein, and that it was inconspicuously stated on the carton. Misbranding of the article was alleged for the further reason that the above-quoted statements, borne on the labels of the bottles and cartons and included in the circular accompanying the article, were false and fraudulent in that the article contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On October 16, 1919, the Alexander Drug Co., Oklahoma City, Okla., having filed an answer to the libel, and no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, without costs to said Alexander Drug Co.

E. D. BALL, *Acting Secretary of Agriculture.*

7518. Misbranding of Tisit. U. S. * * * v. 36 Cartons of Tisit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10753. I. S. No. 2397-r. S. No. W-434.)

On June 26, 1919, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 cartons of Tisit, remaining unsold in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped on May 3, 1919, by the Pfeiffer Chemical Co., St. Louis, Mo., and transported from the State of Missouri into the State of Oregon, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle of injection) "'Soothing in Effect' Tisit Injection * * *;" (wrapper and bottle of pearls) "Tisit-Pearls for Gonorrhoea and Gleet;" (leaflet accom-

panying bottles of pearls) "As soon as the symptoms of Gonorrhea declare themselves * * * should be used in the earliest stages of the disease or at once when the discharge appears. The patient will thus be spared the annoyance of a prolonged attack and the pain * * * should be continued * * * after all the symptoms have disappeared;" (carton) "Tisit. A Reliable Remedy for Genito-Urinary Disorders;" (circular). "Tisit. For the treatment of Gonorrhea (clap) * * * Through neglect in treatment the deeper portions are invaded and the disease becomes chronic known commonly as Gleet * * *."

Analysis of samples of the article made in the Bureau of Chemistry of this department showed that the injection consisted essentially of thymol, zinc sulphate, berberine, glycerin, and water, and that the pearls contained copaiba balsam and oil of cassia.

Misbranding of the article was alleged in the libel for the reason that certain statements, borne on the bottle labels and cartons and in the leaflets and circulars accompanying the article, regarding the curative and therapeutic effects thereof, and of the ingredients and substances contained therein, for the treatment of gonorrhoea, gleet, and genito-urinary disorders, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On September 4, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7519. Misbranding of Craig Healing Springs Mineral Water. U. S. * * * v. 9 28-gallon Tanks of Mineral Water. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10737. I. S. No. 15762-r. S. No. E-1606.)

On July 5, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 28-gallon tanks of mineral water, consigned on May 28, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Craig Healing Springs Hotels, New Castle, Va., and transported from the State of Virginia into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Container) "Relieves and Cures Diseases of the skin, Eczema, Scrofulous Sores, Cutaneous and Dermatic Eruptions * * *, Dyspepsia, Constipation, Bilious Diarrhoea, Catarrhal Troubles and other derangements of the stomach, Leucorrhoea and Hemorrhoids. Remarkable and definite cures have been effected in cases of Diabetes and Bright's Disease * * *;" (shipping tag attached to container) "Relieves and Cures Eczema and other dermatic Troubles, Scrofula, Indigestion, Kidney Trouble, Bright's Disease, Diabetes, Rheumatism * * *."

Misbranding of the article was alleged in the libel for the reason that the statements, borne on the jug containing, and on the shipping tag accompanying the article, regarding the curative and therapeutic effects thereof, as above set forth, were false and fraudulent in that the article did not contain any ingredients or combination of ingredients capable of producing the effects claimed for it.

On September 13, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7520. Adulteration of canned apples. U. S. * * * v. 1200 Cases of Canned Apples. Consent decree of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered destroyed. (F. & D. Nos. 11113, 11114. I. S. No. 2538-r. S. No. W-472.)

On August 25, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,200 cases of canned apples, consigned by the Van Alen Canning Corp., Houston, Tex., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about July 28, 1919, and transported from the State of Texas into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Banner Brand Apples Packed by Van Alen Canning Corp., Ogden, Utah."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, decayed and decomposed fruit.

On November 24, 1919, the P. S. Hessler Mercantile Co. and the H. A. Marr Grocery Co., Denver, Colo., claimants, having filed claim as owners of the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the good portion of the article be released to said claimants, and that the unfit portion be destroyed, and that judgment be entered against the P. S. Hessler Mercantile Co. for two-thirds of the costs of the proceedings and against the H. A. Marr Grocery Co. for one-third of the costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7521. Adulteration of prunes. U. S. * * * v. 85 Boxes of Prunes. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 11101. I. S. No. 2536-r. S. No. W-467.)

On August 22, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 85 boxes of prunes, consigned by the California Packing Corp., Fresno, Calif., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about May 22, 1919, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Oro Brand Prunes Packed by California Packing Corp.," and "Par Excellence Brand Prunes."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, and contained many living larvæ, cocoons, and weevils, with much débris and excreta, and was unfit for human food.

On October 28, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal at private sale, but not to be sold or used for human food.

E. D. BALL, *Acting Secretary of Agriculture.*

7522. Misbranding of Big G. U. S. * * * v. 7½ Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11067. I. S. No. 15126-r. S. No. E-1661.)

On August 15, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on September 12, 1919, an amendment thereto, praying the seizure and condemnation of 7½ dozen bottles of Big G, consigned by the Evans Chemical Co., Cincinnati, Ohio, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about July 19, 1919, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "Big G * * * Abnormal mucous discharges, Catarrh, Hay Fever and Inflamed, Ulcerated mucous membrane or linings of the Mouth, Nose, Throat, Eye, Ear and the Urinary Tract * * *;" (booklet) "Big G * * * Catarrh—Chronic, of the Head.—* * * Big G may be beneficial.—* * * Conjunctivitis, Inflammation of the Eye.—* * * Coryza—Nasal Catarrh.—* * * Cystitis—Inflammation of the Bladder.—* * * Gastritis—Catarrh of the Stomach.—* * * Haemorrhoids—Piles.—* * * Hay Fever.—* * * Throat Troubles—Pharyngitis, etc., sore mouth, discharges from the ear and open sores and wounds.—* * * Gonorrhoea.—* * * Gleet.—* * * Gonorrhoeal Prostatitis.—* * * Gonorrhoeal Cystitis.—* * * Balanitis.—* * * Bubo.—* * * Leucorrhoea—Whites—Catarrh of the Vagina.—* * * Gonorrhoea in Women.—* * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of borax and berberine.

Misbranding of the article was alleged in substance in the libel for the reason that the label on the bottle containing, and in the booklet accompanying, the article contained certain statements, designs, and devices, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein for the treatment of abnormal mucous discharges, catarrh, hay fever, inflamed, ulcerated mucous membrane or linings of the mouth, nose, throat, eye, ear, and the urinary tract, cystitis, inflammation of the bladder, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, pharyngitis, gonorrhoeal prostatitis, gonorrhoeal cystitis, balanitis, bubo, leucorrhoea, whites, catarrh of the vagina, gonorrhoea, and certain other diseases, which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by the said statements, designs, and devices, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On December 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7523. Misbranding of Big G. U. S. * * * v. 1½ Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11068. I. S. No. 15126-r. S. No. E-1661.)

On August 15, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on September 12, 1919, an amendment thereto, praying the seizure and condemnation

of 1 $\frac{3}{4}$ dozen bottles of Big G, consigned by the Evans Chemical Co., Cincinnati, Ohio, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about July 19, 1919, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "Big G * * * Abnormal mucous discharges, Catarrh, Hay Fever and Inflamed, Ulcerated mucous membrane or linings of the Mouth, Nose, Throat, Eye, Ear and the Urinary Tract * * *;" (booklet) "Big G * * * Catarrh—Chronic, of the Head.—* * * Big G may be beneficial. * * * Conjunctivitis, Inflammation of the Eye.—* * * Coryza—Nasal Catarrh.—* * * Cystitis—Inflammation of the Bladder.—* * * Gastritis—Catarrh of the Stomach.—* * * Haemorrhoids—Piles.—* * * Hay Fever.—* * * Throat Troubles—Pharyngitis, etc., sore mouth, discharges from the ear and open sores and wounds.—* * * Gonorrhoea.—* * * Gleet.—* * * Gonorrhoeal Prostatitis.—* * * Gonorrhoeal Cystitis.—* * * Balanitis.—* * * Bubo.—* * * Leucorrhoea—Whites—Catarrh of the Vagina.—* * * Gonorrhoea in Women.—* * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of borax and berberine.

Misbranding of the article was alleged in substance in the libel for the reason that the label on the bottle containing, and the booklet accompanying, the article contained certain statements, designs, and devices, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, for the treatment of abnormal mucous discharges, catarrh, hay fever, inflamed, ulcerated mucous membrane or linings of the mouth, nose, throat, eye, ear, and the urinary tract, cystitis, inflammation of the bladder, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, pharyngitis, gonorrhoeal prostatitis, gonorrhoeal cystitis, balanitis, bubo, leucorrhoea, whites, catarrh of the vagina, gonorrhoea, and certain other diseases, which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by the said statements, designs, and devices, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On December 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7524. Misbranding of Big G. U. S. * * * v. 1 $\frac{3}{4}$ Dozen Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11069. I. S. No. 15126-r. S. No. E-1661.)

On August 15, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on September 12, 1919, an amendment thereto, praying the seizure and condemnation of 1 $\frac{3}{4}$ dozen bottles of Big G, consigned by the Evans Chemical Co., Cincinnati, Ohio, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about July 19, 1919, and transported from the State of Ohio into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) "Big G * * * Abnormal mucous

discharges, Catarrh, Hay Fever and Inflamed, Ulcerated mucous membrane or linings of the Mouth, Nose, Throat, Eye, Ear and the Urinary Tract * * *," (booklet) "Big G * * * Catarrh—Chronic, of the Head.—* * * Big G may be beneficial. * * * Conjunctivitis, Inflammation of the Eye.—* * * Coryza—Nasal Catarrh.—* * * Cystitis—Inflammation of the Bladder.—* * * Gastritis—Catarrh of the Stomach.—* * * Hæmorrhoids—Piles.—* * * Hay Fever.—* * * Throat Troubles—Pharyngitis, etc., sore mouth, discharges from the ear and open sores and wounds.—* * * Gonorrhœa.—* * * Gleet.—* * * Gonorrhœal Prostatitis.—* * * Gonorrhœal Cystitis.—* * * Balanitis.—* * * Bubo.—* * * Leucorrhœa—Whites—Catarrh of the Vagina.—* * * Gonorrhœa in Women.—* * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of a dilute aqueous solution of borax and berberine.

Misbranding of the article was alleged in substance in the libel for the reason that the label on the bottle containing, and the booklet accompanying, the article contained certain statements, designs, and devices, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, for the treatment of abnormal mucous discharges, catarrh, hay fever, inflamed, ulcerated mucous membrane or linings of the mouth, nose, throat, eye, ear, and the urinary tract, cystitis, inflammation of the bladder, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, pharyngitis, gonorrhœal prostatitis, gonorrhœal cystitis, balanitis, bubo, leucorrhœa, whites, catarrh of the vagina, gonorrhœa, and certain other diseases, which were false and fraudulent in that the article would not produce the curative or therapeutic effects which purchasers were led to expect by the said statements, designs, and devices, and which were applied to the article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On December 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7525. Misbranding of Texas Wonder. U. S. * * * v. 5 Dozen Cartons of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11065. I. S. No. 2986-r. S. No. W-463.)

On August 12, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen cartons, each containing 1 2-ounce bottle of Texas Wonder, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about June 30, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "A Texas Wonder * * * The Texas Wonder, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children. * * * E. W. Hall, St. Louis, Mo.;" (circular) "The Texas Wonder! For Kidney and Bladder Troubles, Rheumatism and Kindred Diseases * * *;" (testimonial of Louis A. Portner contained in circular) "* * * began using The Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys * * * His urine contained

40% pus * * * was still using the medicine with wonderful results, and his weight had increased * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of oleoresin of copaiba, rhubarb, guaiac, turpentine, and alcohol.

Misbranding of the article was alleged for the reason that the therapeutic effects of the article, as claimed on the carton containing, and in the circular accompanying, the article, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On October 23, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7526. Misbranding of Moreau's Wine of Anise Compound. U. S. * * * v. 4 Dozen Bottles of Moreau's Wine of Anise. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10696. I. S. No. 12739-r. S. No. E-1568.)

On June 23, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 4 dozen bottles of Moreau's Wine of Anise Compound, consigned on February 11, 1919, remaining unsold in the original unbroken packages at Turners Falls, Mass., alleging that the article had been shipped by the Lafayette Co., Berlin, N. H., and transported from the State of New Hampshire into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrapper, in English) "Moreau's Wine of Anise Compound For Children * * * This mild, medicated sweetened Wine is given to children in cases of Colic, Diarrhoea, Dysentery, Indigestion, Sour Stomach, Vomiting, Cold, Coughs, Painful Dentition, Irritable, Fretful and Sleepless Children;" (wrapper, in French) "Moreau's Wine of Anise Compound for Children * * * This Wine of Anise Compound aids in calming and procuring sleep in children who suffer from Colic, Diarrhoea, Dysentery, Indigestion, Sour Stomach, Vomiting, Coughs, Cold, Painful Dentition, Loss of Sleep, Nervousness and Irritability * * *;" (bottle) Same statements as on wrapper, in English and French, with additional statement in both languages, "To weak children mix the medicine * * *;" (circular, in English) "Moreau's Wine of Anise Compound for Children * * * This pure, mild, sweetened and medicated wine is given to children in cases of Colic, Diarrhoea, Dysentery, Indigestion, Sour Stomach, Vomiting, Cold, Coughs, Painful Dentition, Irritable, fretful and sleepless children. Its action has long ago placed it in all mothers' confidence and they estimate it highly, knowing that Moreau's Wine of Anise Compound containing a pure, mild, sweetened wine is preferable to any soothing remedy compounded with syrup only. * * * is scientifically prepared with the best of Anise and other ingredients of merit. * * * To weak children give * * *. For babies cutting teeth rub a little * * * on the gums often;" (circular, in French) "Moreau's Wine of Anise Compound for Children * * * aids in calming and procuring sleep in children who suffer from Colic, Diarrhoea, Dysentery, Indigestion, Sour Stomach, Vomiting, Painful Dentition, Coughs, Cold, Loss of Sleep, Nervousness and Irritability. Its action has long since placed it in the first rank and all the mothers who have

used it, know that Moreau's Wine of Anise Compound containing a rich, sweetened and pure wine is preferable to any other soothing remedy composed only of syrup. * * * is especially prepared with the best quality of Anise; and other medicines of merit. To weak children, give * * *. During dentition wet the finger in Moreau's Wine of Anise Compound and rub the gums often."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of alcohol (7.30 per cent by volume), morphine acetate (0.23 grain per fluid ounce), sugar, vegetable coloring, benzoic acid, and water.

Misbranding of the article was alleged in the libel of information for the reason that the statements appearing on the wrapper enclosing, on the label on the bottle containing, and in the circular accompanying, the article, regarding the curative and therapeutic effects of the article, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On September 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7527. Misbranding of Moreau's Wine of Anise Compound. U. S. * * * v. 57 Bottles of Moreau's Wine of Anise. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10700. I. S. No. 12955-r. S. No. E-1569.)

On June 24, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 57 bottles of Moreau's Wine of Anise Compound, consigned on February 15, 1919, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Lafayette Co., Berlin, N. H., and transported from the State of New Hampshire into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrapper, in English) "Moreau's Wine of Anise Compound For Children * * * This mild, medicated sweetened Wine is given to children in cases of Colic, Diarrhoea, Dysentery, Indigestion, Sour Stomach, Vomiting, Cold, Coughs, Painful Dentition, Irritable, Fretful and Sleepless Children;" (wrapper, in French) "Moreau's Wine of Anise Compound for Children * * * This Wine of Anise Compound aids in calming and procuring sleep in children who suffer from Colic, Diarrhoea, Dysentery, Indigestion, Sour Stomach, Vomiting, Coughs, Cold, Painful Dentition, Loss of Sleep, Nervousness and Irritability * * *;" (bottle) Same statements as on wrapper in English and French, with additional statement in both languages, "To weak children mix the medicine * * *;" (circular, in English) "Moreau's Wine of Anise Compound for Children * * * This pure, mild, sweetened and medicated wine is given to children in cases of Colic, Diarrhoea, Dysentery, Indigestion, Sour Stomach, Vomiting, Cold, Coughs, Painful Dentition, Irritable, fretful and sleepless children. Its action has long ago placed it in all mothers' confidence and they estimate it highly, knowing that Moreau's Wine of Anise Compound containing a pure, mild, sweetened wine is preferable to any soothing remedy compounded with syrup only. * * * is scientifically prepared with the best of Anise and other ingredients of merit. * * * To weak children give * * *. For babies cutting teeth rub a little * * * on

the gums often;" (circular, in French) "Moreau's Wine of Anise Compound for Children * * * aids in calming and procuring sleep in children who suffer from Colic, Diarrhoea, Dysentery, Indigestion, Sour Stomach, Vomiting, Painful Dentition, Coughs, Cold, Loss of Sleep, Nervousness and Irritability. Its action has long since placed it in the first rank and all the mothers who have used it know that Moreau's Wine of Anise Compound containing a rich, sweetened and pure wine is preferable to any other soothing remedy composed only of syrup. * * * is especially prepared with the best quality of Anise; and other medicines of merit. To weak children, give * * *. During dentition wet the finger in Moreau's Wine of Anise Compound and rub the gums often."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of alcohol (6.04 per cent by volume), morphine acetate (0.25 grain per fluid ounce), sugar, vegetable coloring, benzoic acid, and water.

Misbranding of the article was alleged in the libel of information for the reason that the statements appearing on the wrapper enclosing, on the label of the bottle containing, and in the circular accompanying, the article, regarding the effects resulting from the use of the article, as set forth above, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On September 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7528. Misbranding of Planten's C & C. U. S. * * * v. 18 Dozen Cartons of Planten's C & C. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10679. I. S. No. 13023-r. S. No. E-1577.)

On June 23, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 dozen cartons of Planten's C & C, consigned on June 10, 1918, remaining unsold in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped by H. Planten & Son, Brooklyn, N. Y., and transported from the State of New York into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Retail carton) "Planten's C & C or Black Capsules * * * for the treatment of Private Diseases of Men;" (booklet) "Directions and Hints for the use of Planten's C & C or Black Capsules * * * Gonorrhoea or Clap * * * Our Celebrated Specialty Planten's C & C or Black Capsules * * * recognized as useful in restoring a healthy condition of the mucous membranes of the Genito-Urinary Tract. * * * for the treatment of Chronic and Acute Gonorrhoea, Gleet, Urethritis."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of oils of cubebs, copaiba, cassia, and turpentine, with a trace of camphor.

Misbranding of the article was alleged in substance in the libel of information for the reason that certain statements appearing on the carton enclosing, and in the booklet accompanying, the article, regarding the curative and therapeutic effects of the article for the treatment of gonorrhoea, gleet, and urethritis, were false and fraudulent in that the article did not contain any

ingredient or combination of ingredients capable of producing the effects claimed for it.

On September 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7529. Misbranding of Beecham's Pills. U. S. * * * v. 180 Dozen Packages of Beecham's Patent Pills. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11076. I. S. No. 2985-r. S. No. W-466.)

On August 16, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 180 dozen packages of Beecham's Patent Pills, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on June 26, 1919, by the B. F. Allen Co., New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of aloes and ginger.

Misbranding of the article was alleged in substance in the libel for the reason that the statement, borne on the labels of the packages, to wit, "Sold by the Proprietor, St. Helen's, Lancashire, England," was false and misleading, and the article was falsely branded as to the country in which it was manufactured or produced as it was in reality a domestic product. Misbranding of the article was alleged for the further reason that the claims and statement regarding the therapeutic effects of the article, in the circular enclosed in the packages, to wit, that it was a cure for or remedy in the treatment of blood, dyspepsia, nervous debility, kidneys, secret maladies, etc., were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On September 11, 1919, the said B. F. Allen Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$400, in conformity with section 10 of the act, conditioned in part that the product be reshipped to New York and there relabeled under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7530. Misbranding of Knoxit Injection. U. S. * * * v. 122 Bottles of Knoxit Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10135, 10136. I. S. Nos. 5579-r, 5580-r. S. No. C-1184.)

On April 30, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 122 bottles of Knoxit Injection, remaining unsold in the original unbroken packages at Bartlesville, Okla., alleging that the article had been shipped on or about February 1, 1919, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Oklahoma, and charging misbrandings, in violation of the Food and Drugs Act, as amended. The article

was labeled in part: (Wholesale carton) "Knoxit The Great Gonorrhoea Remedy Knoxit in Five Days; Knoxit Safe, Sure, Guaranteed Try It;" (retail carton) "Knoxit The great Prophylactic for Inflammation of the Mucous Membranes. Call for by Name Only. Avoid Substitutes. Prepared only by Beggs Manufacturing Co. Chicago-Toronto;" (bottle) "Knoxit Liquid the great prophylactic. Call for by Name Only. Avoid Substitutes. Prepared by Beggs Manufacturing Co. Chicago-Toronto;" (circular) "Knoxit Liquid A highly efficacious remedy used in the treatment of catarrhal affections of the eye, nose, throat and inflammations of the mucous membranes. It is also beneficial in the treatment of hemorrhoids, ulcers and cankers. Knoxit can be used with absolute confidence * * * For the Eye * * * For the Nose * * * For the Throat * * * For Ulcers and Hemorrhoids * * * For Other mucous Irritations."

Misbranding of the article was alleged in substance in the libel for the reason that the packages, cartons, labels, and circulars bore and contained the above-quoted statements, regarding the curative and therapeutic effect thereof, and of the ingredients and substances contained therein, which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effect claimed for it. Misbranding of the article was alleged for the further reason that it consisted of a yellow aqueous solution containing glycerin, zinc acetate, alkaloids of hydrastis, perfumed with oil of rose, and each of said ingredients or any compound of the same was not capable of producing the curative or therapeutic effects claimed for it on the cartons and label and in the circular.

On June 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7531. Misbranding of Compound Extract of Cubebs with Copaiba. U. S. * * * v. 4 Dozen Jars of Compound Extract of Cubebs with Copaiba. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10649. I. S. No. 13022-r. S. No. E-1567.)

On June 19, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 4 dozen jars of Compound Extract of Cubebs with Copaiba, consigned on January 31, 1918, remaining unsold in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped by The Tarrant Co., New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Jar and wrapper) "A Valued Medicine for Gonorrhoea, Gleet, Whites, etc.;" (circular) "Tarrant's Compound Extract of Cubebs with Copaiba Is Specially Prepared for the Treatment of Gonorrhoea, Gleet, and simple Whites or Leucorrhoea * * * Tarrant's 'Compound Extract' is also a convenient and agreeable method of administering cubebs and copaiba in those disorders of the kidneys, bladder, prostate, vagina and urethra in which these drugs have proved their usefulness. * * * is chiefly used in the treatment of gonorrhoea. In other mucous discharges as chronic catarrh with profuse secretion, leucorrhoea, gleet, cystitis, etc. * * * is employed in diseases of the mucous membranes particularly those of a chronic character as leucorrhoea,

gonorrhoea, gleet, catarrh and irritation of the bladder.—‘as a remedy for gonorrhoea it has enjoyed great popularity’ * * * ‘may be successfully employed in the treatment of * * * (gonorrhoea) of sub acute or chronic type (gleet) * * * cystitis * * * leucorrhoea, vaginal gonorrhoea, sub acute and chronic pyelitis.’ * * * Directions.—Gonorrhoea * * * Gleet * * * In Leucorrhoea or Whites * * * In Inflammations of the Bladder and Urethra.”

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of extracts of cubebs and copaiba.

Misbranding of the article was alleged in the libel of information for the reason that the statements, appearing on the wrapper enclosing, on the label on the box containing, and in the circular accompanying, the article, regarding its curative and therapeutic effects as above set forth, were false and fraudulent in that the article did not contain any ingredients or combination of ingredients capable of producing the effects claimed for it.

On September 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7522. Adulteration and misbranding of cocoa. U. S. * * * v. 10 Cases of Alleged Cocoa. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11079, 11080, 11081, 11082, 11083, 11084, 11085. I. S. No. 16553-r. S. No. E-1666.)

On August 22, 1919, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases of cocoa, at Wilsca, N. C., alleging that the article had been shipped on or about March 28, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of North Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, “My Own Cocoa.”

Adulteration of the article was alleged in the libel for the reason that a substance containing starch and sugar was mixed with, and substituted wholly or in part for, the article, and for the further reason that the product was mixed in a manner whereby damage or inferiority was concealed.

Misbranding of the article was alleged for the reason that the statements borne on the label, to wit, “Cocoa,” in prominent letters, and “Pure Cocoa,” in very conspicuous type, and “The Cocoa contained in this package is Positively High Grade,” not sufficiently corrected by a statement stamped in an illegible manner, were false and misleading, and deceived and misled the purchaser, and for the further reason that it was an imitation of, and was offered for sale under the name of, another article. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not declared.

At the October, 1919, term, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7533. Misbranding of Knoxit Liquid and Knoxit Globules. U. S. * * * v. 5 Dozen Bottles of Drugs. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10177, 10178. I. S. Nos. 13547-r, 13548-r. S. No. E-1341.)

On May 7, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 4 dozen bottles of Knoxit Liquid and 1 dozen bottles of Knoxit Globules, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the articles had been shipped on or about October 2, 1918, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The liquid was labeled in part: (Wholesale carton) "Knoxit the great Prophylactic and Remedy Knoxit in Five Days Knoxit Safe, Sure, Guaranteed Try It;" (retail carton) "Knoxit the great Prophylactic for Inflammation of the Mucous Membranes;" (bottle) "Knoxit Liquid the great Prophylactic" (like statements in French, Italian, Spanish, Portuguese, German, and other languages). The globules were labeled in part: (Bottle and carton) "Knoxit Globules. The great internal Gonorrhoea and Gleet Remedy Beggs Manufacturing Co., Chicago;" (circular) "Knoxit Globules. The great internal Gonorrhoea Preparation * * * especially prepared with a view of not only being used for Gonorrhoea but to act gently and effectively upon the kidneys and bladder."

Analyses of samples of the articles made in the Bureau of Chemistry of this department showed that the Knoxit Liquid consisted essentially of zinc acetate, hydrastine, berberine, glycerin, and water, perfumed with rose, and that the Knoxit Globules consisted essentially of a mixture of copaiba and oil of cassia.

Misbranding of the articles was alleged in substance in the libel for the reason that certain statements, appearing on the labels and cartons, and in the circulars, regarding the therapeutic effects of the articles as a treatment, cure, or prophylactic for inflammation of the mucous membranes, gonorrhoea, gleet, and certain other diseases, were false and fraudulent in that said articles contained no ingredient or combination of ingredients capable of producing the therapeutic and curative effects claimed for them.

On June 4, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7534. Adulteration and misbranding of effervescing solution citrated magnesia and effervescent granules citrated magnesia. U. S. * * * v. Howard D. Brewer and E. Avery Brewer (Brewer & Co.). Plea of guilty by the defendant H. D. Brewer. Fine, \$50. Nolle prosequi as to Avery Brewer. (F. & D. No. 9244. I. S. Nos. 2633-p, 2634-p.)

On November 20, 1918, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Howard D. Brewer and E. Avery Brewer, trading as Brewer & Co., Worcester, Mass., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about June 4, 1917 (2 shipments), from the State of Massachusetts into the State of New Hampshire, of quantities of articles, labeled in part, respec-

tively, "Effervescing Solution Citrated Magnesia" and "Effervescent Granules Citrated Magnesia," which were adulterated and misbranded.

Analyses of samples of the articles made in the Bureau of Chemistry of this department showed that the effervescing solution citrated magnesia contained in 100 mls 3.55 grams of citric acid, 1.56 grams of magnesium sulphate crystalline, 0.07 gram of benzoic acid, and 0.80 per cent by volume of alcohol, and that the effervescent granules citrated magnesia contained 14.78 per cent of citric acid, 32.23 per cent of tartaric acid, 11.76 per cent of sodium phosphate calculated as Na_2HPO_4 , 0.63 per cent of magnesium sulphate ($\text{MgSO}_4\cdot 7\text{H}_2\text{O}$), and 0.014 per cent of saccharin.

Adulteration of the effervescing solution citrated magnesia was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the date of investigation of the article, in that it contained in each 100 mls 3.55 grams of citric acid, whereas said Pharmacopœia prescribes that it shall contain in each 100 mls 9.43 grams of citric acid, and in that said article contained magnesium sulphate, alcohol, and benzoic acid, which are not mentioned in said Pharmacopœia as ingredients of solution of magnesium citrate, and the standard of the strength, quality, and purity of the article was not declared on the container thereof.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the name of another article.

Adulteration of the effervescent granules citrated magnesia was alleged for the reason that its strength and purity fell below the professed standard and quality under which it was sold, in that it was a mixture composed in part of tartaric acid and sodium phosphate prepared in imitation of citrated magnesia and was offered for sale and sold under the name of another article, to wit, citrated magnesia.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the name of, another article, and for the further reason that the statement, to wit, "Effervescent Granules Citrated Magnesia, a preparation of Magnesium Sulphate with an effervescent base," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that the article was citrated magnesia with an effervescent base, whereas, in truth and in fact, it was not citrated magnesia, but was a product composed in part of tartaric acid and sodium phosphate.

On April 21, 1920, the defendant H. D. Brewer entered a plea of guilty to the information, and the court imposed a fine of \$50. A nolle prosequi was entered as to the defendant Avery Brewer.

E. D. BALL, *Acting Secretary of Agriculture.*

7535. Adulteration and misbranding of Laxa-Cura Water. U. S. * * *
v. Laxa-Cura Water Co., a corporation. Plea of guilty. Fine, \$100.
 (F. & D. No. 11047. I. S. No. 14778-r.)

On October 10, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Laxa-Cura Water Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on October 3, 1918, from the State of New York into the State of New Jersey, of a quantity of an article, labeled in part "Laxa-Cura Water," which was adulterated and misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the following results:

<i>Radical.</i>		<i>Hypothetical combinations.</i>	
	<i>Grams per liter.</i>		<i>Grams per liter.</i>
Chlorid (Cl)-----	1.134	Sodium chlorid (NaCl)-----	1.869
Sulphate (SO ₄)-----	47.080	Sodium sulphate (Na ₂ SO ₄)---	30.480
Bicarbonate (HCO ₃)-----	.000	Magnesium sulphate (MgSO ₄)--	32.870
Sodium (Na) (by difference) _	10.604	Calcium sulphate (CaSO ₄)----	.339
Magnesium (Mg)-----	6.640		
Calcium (Ca)-----	1.100		65.558
	<hr/> 65.558		

Bacteriological examination of 8 bottles showed the following results: Maximum count of bacteria per cc.: At 20° C., 440,000; at 37° C., 1,000,000. *B. coli*: In 10 cc., 8 bottles; in 1 cc., 4 bottles; in 0.1 cc., 2 bottles.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding of the article was alleged for the reason that the statement borne on the label, to wit, "Analysis—Parts per 1,000 Sodium Sulphate 55.2, Magnesium Sulphate 55.2, Sodium Chloride 2.1," was false and misleading in that it represented to purchasers thereof that each unit of the same contained not less than 55.2 parts for each thousand of sodium sulphate and the same proportion of magnesium sulphate, and 2.1 parts for each thousand of sodium chlorid, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that it contained a proportion of 55.2 parts of sodium sulphate, 55.2 parts of magnesium sulphate, and 2.1 parts of sodium chlorid in each one thousand parts of the article, whereas, in truth and in fact, it contained less than the above-mentioned proportions of said substances, and for the further reason that the following statement borne on the label, to wit, "A Concentrated Saline Purgative Water," was false and misleading in that it represented to purchasers that the article was a natural mineral water, whereas, in fact and in truth, it was not, but was an artificial mineral water. It was alleged in substance that the article was misbranded for the further reason that certain statements appearing on the labels of the bottles falsely and fraudulently represented it as a remedy, treatment, and cure for diseases of the kidneys, liver, and stomach, for piles, obesity, blood, and skin affections, rheumatism, gout, malaria, all kinds of stomach disorders, intestinal indigestion, and paresis, and for dysentery, when, in truth and in fact, it was not.

On October 15, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

7536. Misbranding of Reuter's Little Pills for the Liver. U. S. * * * v. Barclay & Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 11128. I. S. No. 17003-r.)

On January 3, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Barclay & Co., a corporation, doing business at New York, N. Y., alleging ship-

ment by said company, in violation of the Food and Drugs Act, as amended, on June 10, 1918, from the State of New York into the Territory of Porto Rico, of a quantity of an article, labeled in part "Reuter's Little Pills for the Liver," which was misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it contained aloin, strychnine, atropine, and emetine, indicating the presence of *nux vomica*, *belladonna*, and *ipeacac*.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements, appearing on the labels of the boxes and cartons, falsely and fraudulently represented it as a treatment, remedy, and cure for dyspepsia, headache, flatulence, inaction of the liver, vertigo, nausea, and bad feeling, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements, included in the circular accompanying the article, falsely and fraudulently represented it as a treatment, remedy, and cure for dyspepsia, indigestion, loss of appetite, vertigo, vomiting, yellow jaundice, clogged liver, enlarged liver, hard liver, scurvy, pimples, blotches, boils, running sores, ring worms, scaly scalp, cold sweat, cold hands, cold feet, cramps, colic, blind piles, or tape worms, catarrh of the bowels, sore eyes, spots before the eyes, ringing in the ears, running ears, insomnia, nightmare, nervous trembling, faintness, pains, sore tongue, cold sores, canker sores, sore throat, hacking cough, shortness of breath, discolored urine, burning, rheumatism, backache, diabetes, bladder inflammation, stones in the bladder, gravel, sick headache, nervous headache, biliousness, irritability, forgetfulness, impaired memory, lack of concentration, depressed feeling, melancholia, throbbing of the heart, bad circulation, and pain around the heart, when, in truth and in fact, it was not.

On January 7, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture*.

7537. Misbranding of ordinary cottonseed cake and cottonseed meal or cake. U. S. * * * v. Brazos Valley Cotton Oil Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 11134. I. S. Nos. 5922-r, 5925-r.)

On November 8, 1919, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Brazos Valley Cotton Oil Co., a corporation, Waco, Tex., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 18, and November 6, 1918, from the State of Texas into the State of Kansas, of quantities of articles, labeled in part "Ordinary Cotton Seed Cake" and "Cotton Seed Meal or Cake," respectively, which were misbranded.

Analyses of samples of the articles made in the Bureau of Chemistry of this department showed that the cake contained 40.25 per cent of protein and that the meal or cake contained 37.88 per cent of protein.

Misbranding of the article in each shipment was alleged in the information for the reason that the statement appearing on the label, to wit, "Protein Not less than 43.00%," was false and misleading in that it represented to the purchaser that the article contained 43 per cent of protein, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 43 per cent of protein, whereas, in fact and in truth, it contained less than 43 per cent of protein.

On November 15, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

7538. Adulteration and misbranding of apple beverage and blackberry beverage. U. S. * * * v. Fred F. Braswell (Sterling Vinegar Co.). Plea of guilty. Fine, \$150 and costs. (F. & D. No. 11136. I. S. Nos. 3563-p, 3564-p, 3384-p.)

On December 27, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Fred F. Braswell, trading as the Sterling Vinegar Co., Baltimore, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about April 1, 1918, from the State of Maryland into the State of Virginia, of a quantity of an article labeled in part, "Apple Beverage," and on or about April 4, 1919, from the State of Maryland into the State of North Carolina, of quantities of an article labeled in part, "B Berry Beverage," both of which were adulterated and misbranded.

Analyses of samples of the articles made in the Bureau of Chemistry of this department showed that the apple beverage was an alcoholic product prepared from apple products with added glucose or starch sugar and added water, and that the blackberry beverage was largely, if not wholly, an alcoholic apple product, artificially colored with coal tar dye, in which a substantial amount of blackberry juice was absent.

Adulteration of the apple beverage was alleged in the information for the reason that certain substances, to wit, water and glucose, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted for apple beverage, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the statement, appearing on the label, to wit, "Apple Beverage made from pure fruit juice * * *," deceived and misled purchasers into the belief that the article was made from pure fruit juice, whereas, in fact and in truth, it was artificially made from apple products in combination with added water, glucose, and alcohol, and for the further reason that said statement, appearing on the label, was false and misleading in that it represented to purchasers of the article that it was made from pure fruit juice, whereas, in fact and in truth, it was artificially made from apple products in combination with added water, glucose, and alcohol.

Adulteration of the blackberry beverage was alleged for the reason that a substance consisting of an apple product artificially colored had been substituted for blackberry beverage, which the article purported to be, and for the further reason that it was artificially colored in a manner whereby inferiority was concealed therein.

Misbranding of the article was alleged for the reason that it was labeled "B Berry Beverage made from pure fruit juice flavor" so as to deceive and mislead the purchaser into the belief that it was flavored with pure blackberry juice and was made of pure fruit juice, whereas, in fact and in truth, it was not flavored with blackberry juice and was artificially made out of apple products, alcohol, and other foreign substances and was artificially colored.

On December 27, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$150 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7539. Misbranding of Cu-Co-Ba Tarrant. U. S. * * * v. 4 Dozen Packages of Cu-Co-Ba Tarrant. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10561. I. S. No. 14202-r. S. No. E-1542.)

On June 1, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen packages of Cu-Co-Ba Tarrant, remaining unsold in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped on or about March 15, 1919, by The Tarrant Co., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cartons or boxes) "Cu-Co-Ba 'Tarrant' The Old Tarrant Extract of Cubebs and Copaiba in Capsule Form * * *," (circular) "Cu-Co-Ba 'Tarrant' An antiseptic stimulant medicament to the kidneys, and mucous membranes especially those of the genito-urinary tract. Promotes the healing of lesions of the mucous surfaces. Reduces excessive and annoying discharges. An esteemed and convenient combination in inflammations and irritations of the bladder, kidneys, prostate, urethra, and vagina. Of special value in gleet, gonorrhea and leucorrhea * * * successfully employed in the treatment of chronic bronchitis, inflammations of the bladder * * * prostatic abscess and gonorrhea * * * successfully used in inflammatory conditions of the bladder and kidneys * * * gonorrhea * * * leucorrhea, vaginal gonorrhea, and chronic dysentery."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of extract of cubebs and copaiba, and magnesium oxid.

Misbranding of the article was alleged in the libel for the reason that the statements, designs, and devices, borne on the labels of the bottles, were false, fraudulent, and misleading, and were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of the purchasers thereof, the impression and belief that the article was in whole or in part composed of, or contained, ingredients or medicinal agents, effective, among other things, as a remedy for certain diseases, to wit, gleet, gonorrhœa, leucorrhœa, kidney trouble, bladder trouble, etc., when, in truth and in fact, it was not in whole or in part, composed of, and did not contain, ingredients or medicinal agents, effective, among other things, as a remedy for gleet, gonorrhœa, leucorrhœa, kidney trouble, bladder trouble, etc.

On October 20, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7540. Misbranding of Cu-Co-Ba Tarrant. U. S. * * * v. 90 Packages * * * Cu-Co-Ba Tarrant. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 10797, 10799. I. S. Nos. 6980-r, 6987-r. S. Nos. C-1334, C-1329.)

On July 14, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 90 packages containing a drug product or combination called "Cu-Co-Ba Tarrant," remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about March

19, 1919, by The Tarrant Co., New York, N. Y., and transported from the State of New York into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Cartons or boxes) "Cu-Co-Ba 'Tarrant' The Old Tarrant Extract of Cubebs and Copaiba in Capsule Form * * *;" (circular) "Cu-Co-Ba 'Tarrant' An antiseptic stimulant medicament to the kidneys, and mucous membranes especially those of the genito-urinary tract. Promotes the healing of lesions of the mucous surfaces. Reduces excessive and annoying discharges. An esteemed and convenient combination in inflammations and irritations of the bladder, kidneys, prostate, urethra, and vagina. Of special value in gleet, gonorrhea and leucorrhea * * * successfully employed in the treatment of chronic bronchitis, inflammation of the bladder * * * prostatic abscess and gonorrhea * * * successfully used in inflammatory conditions of the bladder and kidneys, * * * gonorrhea, * * * leucorrhea, vaginal gonorrhea and chronic dysentery."

Analyses of samples of the article made in the Bureau of Chemistry of this department showed that it consisted of a plastic mass containing essentially copaiba and oil of cubebs.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, borne on the packages or boxes and included in the circular accompanying the article, representing it as a treatment for inflammations and irritations of the bladder, kidneys, prostate, urethra, and vagina, gleet, gonorrhœa, leucorrhœa, chronic bronchitis, prostatic abscess, and certain other diseases, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results or effects claimed for it, and for the further reason that said statements were false and fraudulent in that the product or combination contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it.

On September 18, 1919, the said Tarrant Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7541. Misbranding of Injection Malydor. U. S. * * * v. 18 Bottles * * * Injection Malydor. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10798. I. S. No. 8824-r. S. No. C-1332.)

On July 14, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 bottles containing a drug solution or product called "Injection Malydor," remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about September 21, 1918, by the Williams Mfg. Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottles and carton) "Injection Malydor the hygienic lotion for male

and female * * * An excellent remedy for Diseases of the Orificial Passages as gonorrhœa, gleet, leucorrhœa;" (circular) "Malydor Injection the Perfect Private Physician for male and female * * * An excellent remedy for Diseases of the Orificial Passages as gonorrhœa, gleet, leucorrhœa, piles, * * * How Often to use Injection Malydor in Treating Gonorrhœa, Gleet, etc. * * * Syphilis Treatment—Locally—Use Injection Malydor, * * * Chancroids—Soft Chancre— * * * Treatment, same as Syphilis * * * An Excellent Remedy for Piles. * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of boric acid, a zinc salt, phenol, glycerin, and a trace of alkaloid.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, borne on the labels of the bottles and cartons and included in the circular accompanying the article, representing it as a remedy or treatment for gonorrhœa, gleet, leucorrhœa, piles, syphilis, and certain other diseases, were false and fraudulent in that it did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On August 6, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7542. Misbranding of The Crossman Mixture. U. S. * * * v. 20 Bottles * * * of The Crossman Mixture. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10796. I. S. No. 6979-r. S. No. C-1331.)

On July 14, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 bottles containing a drug solution or product called "The Crossman Mixture," remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about March 15, 1919, by the Williams Mfg. Co., Cleveland, Ohio, and transported from the State of Ohio into the State of Wisconsin, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "The Crossman Mixture * * * Recommended for the treatment of not only the active stages of simple Urethritis and of Gonorrhea, but especially of sub-acute and chronic conditions, as Gleet. * * * Wright's Indian Vegetable Pill Co.;" (wrapper) "The Crossman Mixture * * * Recommended for the treatment, not only of the active stages of simple Urethritis and of Gonorrhea, but especially of sub-acute and chronic conditions, as Gleet. * * * Wright's Indian Vegetable Pill Co.;" (circular) "Relief sometimes follows so promptly, that the patient feels encouraged to discontinue the treatment. As a precaution against disappointment and delay from the return of the disease, take The Crossman Mixture for two weeks after the discharge has ceased."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of oil of copaiba, oil of cubebs, another essential oil (peppermint or spearmint), alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, borne on the labels of the bottles and wrappers and included in the circular accompanying the article, were false and

fraudulent in that it did not contain any ingredient or combination of ingredients capable of producing the results or effects claimed for it.

On August 6, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7543. Misbranding of Hinkle Capsules. U. S. * * * v. 2½ Dozen Packages of Hinkle's Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10018. I. S. No. 6884-r. S. No. C-1147.)

On April 11, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2½ dozen packages of Hinkle Capsules, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about December 6, 1918, by the Hinkle Capsule Co., Mayfield, Ky., and transported from the State of Kentucky into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Hinkle Capsules * * * For the treatment of gonorrhoea, gleet, leucorrhoea, kidney and bladder affections, mucous discharges, etc. * * * Are particularly effectual for men in the relief of Gonorrhoea and Gleet in advanced or chronic forms, occasioning an almost instant cessation of the intense pains accompanying the usual symptoms of scalding discharge, acute inflammation and irritations of the mucous membranes, prostate gland, etc.;" (circular) "Hinkle Capsules. * * * The following instructions are incorporated especially for the benefit of the gonorrhea and gleet patient. * * * The ingredients used are of known curative excellence. * * * peculiarly active in affections of the Genito-Urinary organs. Hinkle Capsules are primarily a remedy for the treatment of the more common Kidney and Bladder disorders, * * * Directions Kidney and Bladder Disorders. * * * Gonorrhea and Gleet. * * *"

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of powdered cubebs, cannabis indica, and copaiba, with indications of santal oil and pepsin.

Misbranding of the article was alleged in substance in the libel for the reason that the foregoing and certain other statements appearing on the packages and labels and included in the circulars, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On May 14, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7544. Misbranding of Hinkle Capsules. U. S. * * * v. 5 Dozen Packages of Hinkle Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10019. I. S. No. 6885-r. S. No. C-1148.)

On April 11, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 dozen packages of Hinkle Capsules, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had

been shipped on or about January 11, 1919, by the Hinkle Capsule Co., Mayfield, Ky., and transported from the State of Kentucky into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Hinkle Capsules * * * For the treatment of gonorrhoea, gleet, leucorrhoea, kidney and bladder affections, mucous discharges, etc. * * * Are particularly effectual for men in the relief of gonorrhoea and gleet in advanced or chronic forms, occasioning an almost instant cessation of the intense pains accompanying the usual symptoms of scalding discharge, acute inflammation and irritations of the mucous membranes, prostate gland, etc;" (circular) "Hinkle Capsules' * * * The following instructions are incorporated especially for the benefit of the gonorrhoea and gleet patient * * * The ingredients used are of known curative excellence * * * peculiarly active in affections of the Genito-Urinary organs. Hinkle Capsules are primarily a remedy for the treatment of the more common Kidney and Bladder disorders, * * * Directions Kidney and Bladder Disorders. * * * Gonorrhoea and Gleet. * * *"

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of powdered cubebs, cannabis indica, and copaiba, with indications of santal oil and pepsin.

Misbranding of the article was alleged in substance in the libel for the reason that the foregoing and certain other statements appearing on the packages and labels and included in the circulars, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On May 14, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7545. Adulteration and misbranding of Big G. U. S. * * * v. 96 Bottles of Drug Products. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10801. I. S. No. 6819-r. S. No. C-1336.)

On July 5, 1919, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 96 bottles of drug products, remaining unsold in the original unbroken packages at Houston, Tex., alleging that the article had been shipped on or about January 24, 1919, by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Big G A Compound of Borated Golden Seal A Remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membrane or linings of the Nose, Throat, Stomach and Urinary Organs." (substantially the same statements in French, Spanish, and German); (bottle) "Big G A Non-poisonous Tonic * * * A Treatment For Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear;" (booklet or circular) "Catarrh—Chronic, of the Head.— * * * Conjunctivitis, Inflammation of the Eye.— * * * Coryza—Nasal Catarrh.— * * * Cystitis—Inflammation of the Bladder.— * * * Gastritis—Catarrh of the Stomach.— * * * Hemorrhoids—Piles.— * * * Hay Fever.— * * * Throat Troubles.— * * * Pharyngitis, etc., sore mouth, discharges from

the ear and open sores and wounds.— * * * Gonorrhœa.— * * * Gleet.— * * * Gonorrhœal Prostatitis.— * * * Gonorrhœal Cystitis.— * * * Balanitis.— * * * Leucorrhœa—Whites—Catarrh of the Vagina. * * * Gonorrhœa in Women.— * * * ” (the same or equivalent statements in French, Spanish, and German).

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in the libel for the reason that it was labeled on the carton, in part, “A compound of Borated Goldenseal,” when, in truth and in fact, it contained no borated goldenseal, and its strength and purity fell below the professed standard and quality under which it was sold, and that, in truth and in fact, it was an aqueous solution containing borax and berberine, and no hydrastine.

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements, borne on the label and bottles and included in the circular accompanying the article, regarding the curative and therapeutic effects thereof for the treatment or prevention of catarrh, hay fever, inflammations, irritations or ulcerations of mucous membrane or linings of the nose, throat, stomach, and urinary organs, for unnatural discharges of the urinary organs, inflamed, ulcerated, itching conditions of the skin and mucous membrane or linings of the mouth, nose, throat, eye, and ear, inflammation of the eye, cystitis, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, gonorrhœa, gleet, chronic gonorrhœa, stricture, folliculitis, gonorrhœal prostatitis, spermatorrhœa, bubo, gonorrhœal cystitis, balanitis, inflammation or swelling of a lymphatic gland of the groin, leucorrhœa, whites, catarrh of the vagina, and certain other diseases, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it.

On December 8, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7546. Misbranding of Knoxit. U. S. * * * v. 145 Packages and 6 Dozen Bottles of Knoxit Prophylactic. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11523, 11524. I. S. Nos. 2946-r, 2948-r. S. No. W-539, W-540.)

On November 24, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 145 packages and 6 dozen bottles of Knoxit Prophylactic, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on July 28, 1919, and September 9, 1919, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton and bottle) “Knoxit Prophylactic * * * Owing to the efficacy * * * of Knoxit, * * *,” (circular) “Knoxit Prophylactic A Mild Antiseptic used as a Hygienic Precaution against Contraction of Local Infectious Diseases. * * *.”

It was alleged in substance in the libel that the article was misbranded for the reason that certain statements, borne on the labels of the carton and bottle and included in the circular accompanying the article, regarding the effects of the article as a prophylactic for local infectious diseases, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On January 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7547. Misbranding of Knoxit Injection. U. S. * * * v. 4 Dozen Bottles of Knoxit Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10138. I. S. No. 6897-r. S. No. C-1186.)

On April 30, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen bottles of Knoxit Injection, remaining unsold in the original unbroken packages at Nowata, Okla., alleging that the article had been shipped on or about April 25, 1918, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wholesale carton) "Knoxit The Great Gonorrhœa Remedy. Knoxit Safe, Sure, Guaranteed Try It; Knoxit in Five Days;" (retail carton) "Knoxit the great Gonorrhœa Remedy. Relieves in One to Five Days. Guaranteed not to cause stricture. Prepared only by Beggs Manufacturing Co., Chicago;" (bottle) "Knoxit Injection, the great Gonorrhœa Remedy. Will not cause stricture. Prepared by Beggs Manufacturing Co., Chicago;" (circular) "Knoxit Injection. A Speedy and Efficacious Remedy, Having Stopped the Discharge in Many Cases in From One to Five Days. Knoxit is composed of a number of recognized medicinal constituents, each known for itself as highly efficacious in Gonorrhœa troubles, and one or another usually is prescribed by physicians in the treatment of this disease, and the fortunate composition of them in Knoxit we have always thought to be the reason for its tremendous success in Gonorrhœa cases. * * * Gonorrhœa in Women.—* * * Leucorrhœa (Whites).—* * *."

Misbranding of the article was alleged in substance in the libel for the reason that the packages, cartons, labels, and circulars accompanying the article bore the above-quoted and certain other statements, designs, and devices, regarding the curative and therapeutic effects thereof, and of the ingredients and substances contained therein, which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and for the further reason that the article was a yellow aqueous solution containing chiefly glycerin, zinc acetate, and hydrastis, perfumed with oil of rose, which said ingredients or any combination of same were not capable of producing the curative and therapeutic effects claimed for it.

On June 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7548. Misbranding of Knoxit Liquid. U. S. * * * v. 48 Bottles of Knoxit Liquid, the Great Prophylactic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10139. I. S. No. 6898-r. S. No. C-1186.)

On April 30, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 bottles of Knoxit Liquid the Great Prophylactic, remaining unsold in the original unbroken packages at Nowata, Okla., alleging that the article had been shipped on or about April 25, 1918, by the Beggs Manufacturing Co., Chicago, Ill., and transported from the State of Illinois into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wholesale carton) "Knoxit the Great Gonorrhoea Remedy. Knoxit Safe, Sure, Guaranteed. Try It; Knoxit in Five Days;" (retail carton) "Knoxit the Great Prophylactic for Inflammation of the Mucous Membranes. Call For by Name Only. Avoid Substitutes. Prepared only by Beggs Manufacturing Co. Chicago-Toronto;" (on bottles) "Knoxit Liquid, the Great Prophylactic. * * * Prepared by Beggs Manufacturing Co. Chicago-Toronto;" (circular) "Knoxit Globules for the treatment of inflammation of mucous membranes * * *. If, however, the affection for which this remedy is used does not respond promptly to treatment, it is likely that the trouble is of such a character that it also requires a local application, in which case it would be advisable to use Knoxit Liquid in connection with Knoxit Globules."

Misbranding of the article was alleged for the reason that the packages, cartons, labels, and circulars accompanying the article bore the above-quoted statements, designs, and devices regarding the curative and therapeutic effects thereof, and of the ingredients and substances contained therein, which were false and fraudulent in that the product contained no ingredients or combination of ingredients capable of producing the curative and therapeutic effects claimed for it, and for the further reason that it was a yellow aqueous solution containing chiefly glycerin, zinc acetate, and hydrastis, perfumed with oil of rose, which said ingredients or any combination of same were not capable of producing the curative and therapeutic effects claimed for it.

On June 25, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7549. Adulteration and misbranding of olive oil. U. S. * * * v. 93 1-Gallon Cans and 25 ½-Gallon Cans of Olive Oil (so-called). Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10859. I. S. Nos. 14224-r, 14225-r. S. No. E-1633.)

On July 8, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 93 1-gallon cans and 25 ½-gallon cans of olive oil, remaining unsold in the original unbroken packages at Waterbury, Conn., alleging that the article had been shipped on or about June 26, 1919, by the Southern Importing Co., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Gallon

cans) "Finest Quality Table Oil Tipo Termini Imerese Cottonseed oil slightly flavored with olive oil Ocilia-Atalia One Gallon Net * * *" (picture of natives gathering and packing olives); (half-gallon cans) "Finest Quality Table Oil Cottonseed salad oil flavored slightly with olive oil * * * $\frac{1}{2}$ Gallon Net" (picture of natives gathering and packing olives).

Adulteration of the article was alleged in the libel for the reason that there had been mixed and packed with the product contained in the gallon cans another oil, to wit, soya bean oil, so as to reduce, lower, and injuriously affect its quality and strength, and that soya bean oil had been substituted almost wholly for olive oil, which the article purported to be. Adulteration was further alleged in that there had been mixed and packed with the product contained in the half-gallon cans another oil, to wit, cottonseed oil, so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted almost wholly for olive oil, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the labels on the cans bore certain statements, words, and devices regarding the articles which were false and misleading, and which statements, words, and devices were intended to be of such a character as to induce the purchaser to believe that the product was olive oil, when, in truth and in fact, it was not, said false and misleading impression not being corrected by the words which appeared in inconspicuous type, "Cottonseed salad oil flavored slightly with olive oil," and for the further reason that it purported to be a foreign product, when, in truth and in fact, it was a product of domestic manufacture packed in the United States, and for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, olive oil. Misbranding was alleged for the further reason that the respective labels bore the statement, to wit, "One Gallon Net" and " $\frac{1}{2}$ Gallon Net," which represented that the cans contained, respectively, 1 gallon and one-half gallon of the article, whereas there was an average shortage in each purported gallon of 3.8 per cent and in each purported one-half gallon of 12.15 per cent. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

At the October, 1919, term of said District Court Giuseppe Battaglia, New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7550. Adulteration and misbranding of butter. U. S. * * * v. 40 Tubs of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10827. I. S. No. 15541-r. S. No. E-1648.)

On July 11, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 tubs, each containing 62 pounds of butter, consigned on or about June 20, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the H. C. Christians Co., Chicago,

Ill., and transported from the State of Illinois into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the article, and for the further reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On August 29, 1919, Arthur Medwedeff, Baltimore, Md., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the article be reworked so as to reduce the moisture thereof, under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 7551-7600.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., September 27, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

7551. Adulteration and misbranding of butter. U. S. * * * v. 40 Tubs of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10828. I. S. No. 15873-r. S. No. E-1643.)

On July 11, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 tubs, each containing 62 pounds of butter, consigned on or about June 30, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the H. C. Christians Co., Chicago, Ill., and transported from the State of Illinois into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, excessive water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and that a substance deficient in milk fat and high in moisture had been substituted wholly or in part for the article, and for the further reason that a valuable constituent thereof, to wit, butter fat, had been in part abstracted.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On August 29, 1919, Arthur Medwedeff, Baltimore, Md., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the

sum of \$500, in conformity with section 10 of the act, conditioned in part that the article be reworked, so as to reduce the moisture thereof, under the supervision of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7552. Adulteration of oysters. U. S. * * * v. J. Langrall & Bro., Inc., a corporation. Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 11432. I. S. Nos. 13347-r, 13697-r.)

On December 20, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. Langrall & Bro., Inc., a corporation, doing business at Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 5, 1919, and January 22, 1919, from the State of Maryland into the State of Pennsylvania, of quantities of oysters which were adulterated.

Analyses of samples of the article made in the Bureau of Chemistry of this department showed the following results:

	Shipment of—	
	January 22, 1919.	February 5, 1919.
Drained meat (per cent).....	75.17	75.68
Liquor (per cent).....	24.83	24.32
Solids in meat (per cent).....	14.21	13.20
Solids in liquor (per cent).....	4.35	3.90
NaCl in meat (per cent).....	Trace.	0.04
NaCl in liquor (per cent).....	0.04	0.12
Loss on boiling (per cent).....	57.6	56.2
Solids on sample as received (per cent).....	11.76	10.94

The product contains added water.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been substituted in part for oysters, which the article purported to be, and for the further reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.

On December 22, 1919, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7553. Adulteration and misbranding of oysters. U. S. * * * v. Charles Neubert (Charles Neubert & Co.). Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 11439. I. S. Nos. 3531-p, 3532-p, 3550-p, 13376-r, 13393-r, 13691-r.)

On January 10, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles Neubert, trading as Charles Neubert & Co., Baltimore, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 28, 1919, February 3, 1919, January 21, 1919, and March 4, 1918, from the State of Maryland into the State of Pennsylvania, and on or about March 12, 1919, into the State of Michigan, of quantities of oysters, the first-mentioned shipment of which was adulterated and the remainder adulterated and misbranded.

Analyses of samples of the article made in the Bureau of Chemistry of this department showed the following results:

	Shipment of—					
	March 4, 1918.	March 4, 1918.	January 21, 1919.	January 28, 1919.	February 3, 1919.	March 12, 1919.
Net volume.....	<i>Gallon.</i> 0.977	<i>Gallon.</i> 0.978	<i>Pint.</i> 0.951	<i>Quart.</i> 0.962	<i>Quart.</i> 0.962
Drained meat (per cent).....	83.4	82.1	76.4	78.1	75.27	80.3
Liquor (per cent).....	16.6	17.9	23.6	21.9	24.73	19.7
Solids in meat (per cent).....	11.97	11.76	11.2	11.37	11.66	10.91
Solids in liquor (per cent).....	3.83	2.64	3.0	3.45	5.30	3.24
NaCl in meat (per cent).....	0.01	0.01	Trace.	0.01	Trace.	Trace.
NaCl in liquor (per cent).....	0.06	0.06	0.05	0.11	0.04	0.10
Loss on boiling (per cent).....	60.0	63.5	61.5	58.0	59.1	59.6

Product contains added water, and was found to be short volume in those cases where the volume is reported.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been substituted in part for oysters, which the article purported to be, and for the further reason that water had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength.

Misbranding of the article in each of the shipments, except the one on January 28, 1919, was alleged for the reason that it was food in package form, and the quantity of the contents of the package was not plainly and conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On January 10, 1920, the defendant entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7554. Misbranding of olive oil. U. S. * * * v. Antonio Corrao. Plea of guilty. Fine, \$25. (F. & D. No. 11440. I. S. No. 13747-r.)

On December 16, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Antonio Corrao, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on December 7, 1918, from the State of New York into the State of New Jersey, of a quantity of an article, labeled in part "Olio Puro d'Oлива Garantito Produzione Propria," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted practically of cottonseed oil and was short volume.

Misbranding of the article was alleged in the information for the reason that it was labeled in conspicuous type "Olio Puro d'Oлива Lucca Tipo Italy Garantito Produzione Propria" and bore the design and device of an Italian olive-picking scene, so as to deceive and mislead purchasers into the belief that it was olive oil, whereas, in truth and in fact, it was not; for the further reason that the statements, designs, and devices, appearing on the label, represented to purchasers that it was olive oil, whereas, in truth and in fact, it was not; and for the further reason that by means of said statements, designs, and devices it was falsely branded as to the country in which it was

produced, and purported to be a foreign product, when, in fact and in truth, it was not. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On December 17, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

7555. Misbranding of Musser's Capsules. U. S. * * * v. 32 Packages of * * * Musser's Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11499. I. S. No. 17319-r. S. No. E-1833.)

On October 30, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 32 packages of Musser's Capsules, consigned on or about September 19, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Musser-Reese Chemical Co., Pittsburgh, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "*** * * Dr. Musser's Capsules * * * All Inflammations of Kidneys and Bladder Quickly Relieved. * * * if directions are followed, will effect a permanent relief in every case;**" (circular) "*** * * Be persistent with treatment for at least two weeks following improvement. It is advisable to continue taking Dr. Musser's treatment for that length of time to insure permanent relief. * * * While we know that Dr. Musser's Capsules are possibly the best known remedy and are as prompt in their effect as possible for safety, yet we do not claim that one or two boxes are always sufficient. A great mistake often made is to stop the treatment too soon. This leaves the organs tender and possibly some condition which further treatment would remove and prevent return which is more severe and stubborn to cure than the original condition. It is often quite necessary to continue the treatment for two weeks after all trouble seems to be removed. We cannot impress too strongly the good effect of combining the use of Dr. Musser's Injection 500 with the capsules. This is thoroughly an antiseptic and healing agent which expedites the cure and creates an antiseptic condition much desired. Do not use without capsules. If only one is used be sure to use capsules but the combined treatment is time, money and inconvenience saved * * *.**"

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of copaiba balsam and oil of santal, with indications of oils of cubebs and mace.

Misbranding of the article was alleged for the reason that the foregoing statements, appearing on the carton and in the circular, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On December 8, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7556. Adulteration and misbranding of shorts. U. S. * * * v. 200 Sacks of Alleged Shorts. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 11508. I. S. Nos. 8337-r, 8338-r. S. No. C-1560.)

On November 6, 1919, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 sacks of alleged shorts, at Vass, N. C., alleging that the article had been shipped on or about September 18, 1919, by the Lancaster Commission Co., East St. Louis, Ill., and transported from the State of Illinois into the State of North Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that reground bran had been mixed and packed with, and substituted wholly for, ground shorts, which the article purported to be, and for the further reason that it was mixed in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, "Brown Shorts." Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On or about December 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7557. Adulteration of tomatoes. U. S. * * * v. 893 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 11514, 11515. I. S. No. 15941-r. S. No. E-1860.)

On November 20, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 893 cases of tomatoes, consigned by the Andrews Packing Co., from Linwood, Md., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about October 7, 1919, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Asquith Brand Tomatoes * * * Packed by Andrews Packing Co. Salem, Md."

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith, and substituted wholly or in part for the article.

On December 22, 1919, Albert W. Sisk and A. Fletcher Sisk, trading as A. W. Sisk & Co., Preston, Md., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$3,600, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7558. Misbranding of Black and White Capsules. U. S. * * * v. 32 Packages of * * * Black and White Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11521. I. S. No. 15341-r. S. No. E-1863.)

On November 21, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 32 packages of * * * Black and White Capsules, consigned on or about November 3, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Wilson Drug Co., Norfolk, Va., and transported from the State of Virginia into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Black and White Capsules for Men * * * An Efficacious Remedy for the Affections of the Kidney, Bladder and Urinary Organs."

Analyses of samples of the article made in the Bureau of Chemistry of this department showed that it consisted of capsules, one-half of which contained hexamethylene tetramine and the remainder a mixture of volatile oils, including cubebs and copaiba.

Misbranding of the article was alleged in the libel for the reason that the foregoing statements, appearing on the label, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On December 23, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7559. Adulteration of eggs. U. S. * * * v. 126 Cases and 109 Cases of Eggs. Consent decrees of condemnation and forfeiture. Good portion ordered released on bond. Unfit portion ordered denatured or destroyed. (F. & D. Nos. 11537, 11538. I. S. Nos. 14084-r, 14085-r. S. No. E-1869.)

On November 19, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district two libels for the seizure and condemnation of 126 cases and 109 cases, each containing 30 dozen eggs in shell, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article, comprising two shipments, had been shipped by the Bowman Dairy Co., Chicago, Ill., and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On December 13, 1919, Enyard & Godley, New York, N. Y., claimants, having consented to a decree in each of the libel proceedings, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000 in each of the proceedings, in conformity with section 10 of the act, conditioned in part that the product should be sorted under the supervision of a representative of this department, the portion found fit for food to be released to said claimant and the balance to be destroyed or denatured.

E. D. BALL, *Acting Secretary of Agriculture.*

7560. Misbranding of Texas Wonder. U. S. * * * v. 108 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11582. I. S. No. 9178-r. S. No. C-1588.)

On November 8, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 108 bottles of Texas Wonder, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on or about August 7, 1919, and August 8, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Louisiana, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " * * * A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children * * *;" (circular) "The Texas Wonder! For Kidney and Bladder Troubles, Rheumatism and Kindred Diseases. * * *;" (testimonial of Louis A. Portner contained in circular) " * * * began using The Texas Wonder for stone in the kidneys, * * *. His urine contained 40% pus. * * * was still using the medicine with wonderful results, and his weight had increased * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged for the reason that the foregoing statements, appearing on the carton and included in the circular accompanying the article, regarding its curative and therapeutic effects, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On December 11, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7561. Misbranding of Benetol. U. S. * * * v. 127 Bottles, 36 Bottles, 9 Bottles, 60 Bottles, 36 Bottles, and 20 Bottles of Benetol. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 11590, 11591. I. S. Nos. 8092-r, 8093-r. S. Nos. C-1576, C-1577.)

On November 13, 1919, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district two libels for the seizure and condemnation of 127 bottles, 30-cent size, 36 bottles, 60-cent size, 9 bottles, \$1.20 size, 60 bottles, 30-cent size, 36 bottles, 60-cent size, and 20 bottles, \$1.20 size, of Benetol, at Omaha, Nebr., alleging that the article had been shipped on or about August 27, 1919, August 15, 1919, September 27, 1919, and October 9, 1919, by the Benetol Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of Nebraska, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Men and Women Will find Benetol a highly efficient douche or injection, or local wash, to insure against infection or to quickly check germ diseases. * * * Gonorrhea—Take internally twenty drops in hot water after meals and before retiring. As injection, irrigation or douche use thirty drops of Benetol per glass of warm water or teaspoonful per pint of warm water. Use at night before retiring. * * * Gleet—Start treatment as above and gradually increase injection, etc., to teaspoonful per glass of water if necessary."

Analysis of samples of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an alkaline emulsion containing alphanaphthol, soap, glycerin, water, and traces of essential oils and alcohol.

Misbranding of the article was alleged in the libel for the reason that the statements, borne on the labels of the bottles and cartons, and included in the circular accompanying the article, were false and fraudulent in that the product contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On December 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7562. Adulteration of sweetened condensed skimmed milk. U. S. * * * v. 85 Cases of Sweetened Condensed Skimmed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11594. I. S. No. 15504-r. S. No. E-1857.)

On November 12, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 85 cases of sweetened condensed skimmed milk, consigned on August 14, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been transported from the State of New York into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Value Brand Sweetened Condensed Skimmed Milk. Packed by Merton Dairy Products Co., Merton, Wis."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On January 3, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7563. Misbranding of Texas Wonder. U. S. * * * v. 36 Bottles of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11650. I. S. No. 9188. S. No. C-1621.)

On December 16, 1919, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on February 21, 1920, an amendment thereto, for the seizure and condemnation of 36 bottles of Texas Wonder, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped on October 1, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Alabama, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Texas Wonder A Remedy for Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (circular) "The Texas Wonder * * * has been employed with success in * * * Diabetes * * *;" (testimonial of D. Johnson) "* * * he was advised by his physicians that he had diabetes, his urine showing 18 per cent

sugar. He took the treatment for a year or more and got all right; (testimonial of Louis A. Portner, St. Louis, Mo.) “* * * began using the Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys * * *. His urine contained 40% pus. * * * was still using the medicine with wonderful results, and his weight had increased * * *.”

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the foregoing statements, appearing on the labels and included in the circular accompanying the article, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On March 22, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7564. Adulteration and misbranding of canned tomatoes. U. S. * * * v. 999 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11550. I. S. No. 13988-r. S. No. E-1875.)

On December 9, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 999 cases, each containing 24 cans of tomatoes, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about October 30, 1919, by Charles Webster, East New Market, Md., and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, “Rose Hill Brand Tomatoes. Packed By Chas. Webster at East New Market, Dorchester Co., Md.”

Adulteration of the article was alleged in substance in the libel for the reason that a substance, to wit, water, had been mixed and packed with, and substituted wholly or in part for, tomatoes, which the article purported to be.

Misbranding of the article was alleged for the reason that the labels on the cans bore statements, designs, and devices, regarding the article and the ingredients and substances contained therein, which were false and misleading, and deceived and misled the purchaser by representing the product to be canned tomatoes. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, canned tomatoes.

On February 26, 1920, the said Charles Webster, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,500, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7565. Misbranding of Texas Wonder. U. S. * * * v. 6 Dozen Packages of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10903. I. S. No. 7167-r. S. No. C-1393.)

On July 21, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 dozen packages of Texas Wonder, at Memphis, Tenn., alleging that the article had been shipped on or about July 5, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "The Texas Wonder, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (bottle) "A Texas Wonder for Kidney and Bladder Troubles. E. W. Hall, St. Louis, Mo. * * * The Texas Wonder contains 43 per cent alcohol * * *;" (Testimonial of Louis A. Portner in circular) " * * * he began using The Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys * * *. His Urine contained 40% pus. * * * was still using the medicine with wonderful results, and his weight had increased * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged for the reason that the statements above quoted, appearing on the packages and bottles, and included in the circular accompanying the article, were false and fraudulent and calculated to mislead the purchaser thereof in that the article contained no ingredient or combination of ingredients capable of producing the curative effects claimed for it.

On December 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7566. Misbranding of Dr. Sanger's Capsules. U. S. * * * v. 34 Cartons of Dr. Sanger's Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10904. I. S. No. 2976-r. S. No. W-454.)

On August 2, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 cartons of Dr. Sanger's Capsules, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about June 18, 1919, by the Edward J. Moore Sons, New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Dr. Sanger's Capsules * * *"; (circular) " * * * Dr. Sanger's Capsules * * * for Diseases Pertaining to the Mucous Membranes * * * Besides the effectiveness with the diseases used for, this medicine will not upset the stomach or hurt the system. * * * The combined curative powers of these vegetable compounds have proved to be very effective. Their healing qualities act upon the mucous membranes from the bladder out through the other organs. * * * Cystitis. * * * For treatment * * * Take one capsule three times per

day, one before each meal, until the trouble has disappeared. Cystirrhoea or Catarrh of the Bladder. * * * To reduce the active symptoms take three capsules per day, * * * Retention of Urine. * * * Take three capsules per day, one before each meal, until the disorder subsides. Leucorrhoea. * * * frequently Dr. Sanger's Capsules have procured favorable results by their healing action on the mucous membranes * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, cubebs, santal oil, matico, licorice root, and magnesium oxid.

Misbranding of the article was alleged in the libel for the reason that the foregoing statements, borne in the circular accompanying the article, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On October 23, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7567. Adulteration and misbranding of olive oil. U. S. * * * v. 71 Cases of Alleged Italian Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 10917. I. S. No. 2980-r. S. No. W-458.)

On August 11, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 71 cases of alleged Italian olive oil, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about July 9, 1919, by Strohmeier & Arpe Co., New York, N. Y., and transported from the State of New York into the State of California, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Marca Vita Olio Puro d'Oлива, Prodotto D'Italia * * * Pure Olive Oil Product of Italy."

Adulteration of the article was alleged in the libel for the reason that Spanish olive oil had been substituted wholly or in part for Italian olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, designs, and devices, borne on the labels of the cans and cases, were false and misleading, and deceived and misled the purchasers into the belief that the product was olive oil of Italian origin, whereas it was Spanish olive oil.

On August 27, 1919, the said Strohmeier & Arpe Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,500, in conformity with section 10 of the act, conditioned in part that the product should be relabeled under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7568. Misbranding of White Swan Injection. U. S. * * * v. 11 Bottles of White Swan Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11019. I. S. No. 2197-r. S. No. W-448.)

On July 24, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

and condemnation of 11 bottles of White Swan Injection, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about February 19, 1917, by the Stacy Chemical Co., Houston, Tex., and transported from the State of Texas into the State of California, and charging misbranding in violation of the Foods and Drugs Act, as amended. The article was labeled in part: (Carton) "White Swan Injection * * * A new and scientific combination for the successful treatment of Gonorrhoea and Gleet and all urinal complications This remedy used in accordance with directions is very effective in the worst cases * * *" (same in Spanish); (bottle) "White Swan Injection * * * for male and female * * *;" (circular) "White Swan Injection A New and Scientific Combination for the Successful Treatment of Gonorrhoea and Gleet and all urinary complications. * * * Gonorrhoea * * * Gleet * * * Folliculitis * * * Gonorrheal Prostatitis * * * Leucorrhoea—Whites—Catarrh of the Vagina * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of boric acid, salts of aluminum, zinc and ammonium, glycerin, and phenol with bismuth subgallate in suspension.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, borne on the carton and bottle, and included in the circular accompanying the article, regarding its effects for the treatment or prevention of gonorrhoea, gleet, and all urinary complications, folliculitis, gonorrhoeal prostatitis, leucorrhoea, catarrh of the vagina, and certain other diseases, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On October 23, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7569. Misbranding of Dr. Sanger's Capsules. U. S. * * * v. 3 Dozen Cartons of Dr. Sanger's Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11020. I. S. No. 2196-r. S. No. W-449.)

On July 29, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen cartons of Dr. Sanger's Capsules, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on or about April 21, 1919, by Edward J. Moore Sons, New York, N. Y., and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Dr. Sanger's Capsules for diseases of the Urinary Organs and Bladder;" (Circular) "* * * Dr. Sanger's Capsules * * * for Diseases Pertaining to the Mucus Membranes * * *. Besides the effectiveness with the diseases used for, this medicine will not upset the stomach or hurt the system. * * * The combined curative powers of these vegetable compounds have proved to be very effective. Their healing qualities act upon the mucus membranes from the bladder out through the other organs. * * *"

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that the contents of the gelatin capsules consisted of a mixture of powdered drugs, resins, and volatile oils including cubebs, licorice, matico, copaiba, and santal.

Misbranding of the article was alleged in the libel for the reason that the foregoing statements, borne on the labels of the bottles, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On October 23, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7570. Adulteration of shell eggs. U. S. * * * v. 12 Cases of Shell Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11025. I. S. No. 15765-r. S. No. E-1642.)

On July 7, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 cases of shell eggs, consigned on July 5, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by B. P. Hylton & Son, Danville, Va., and transported from the State of Virginia into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that the shipment contained an excessive amount of eggs decomposed in whole or in part.

On August 4, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7571. Adulteration of gelatin. U. S. * * * v. 3 Barrels of Gelatin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11029. I. S. No. 7833-r. S. No. C-1391.)

On July 29, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 barrels of gelatin, remaining unsold in the original unbroken packages at Owatonna, Minn., alleging that the article had been shipped on or about December 28, 1916, by Habicht, Braun & Co., Chicago, Ill., and transported from the State of Illinois into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained added poisonous and deleterious ingredients, to wit, zinc and arsenic, which might render the article injurious to health.

On November 22, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7572. Misbranding of Texas Wonder. U. S. * * * v. 4 Dozen Cartons * * * of Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11058. I. S. No. 2982-r. S. No. W-462.)

On August 12, 1919, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen cartons, each containing 1 2-ounce bottle of Texas Wonder, remaining unsold in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped on June 30, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "A Texas Wonder * * * The Texas Wonder, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children. E. W. Hall, St. Louis, Mo.;" (circular) "The Texas Wonder! For Kidney and Bladder Trouble, Rheumatism and Kindred Diseases * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the therapeutic effects of the article, claimed on the carton and in the circular above quoted, were false and fraudulent in that it contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On October 23, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7573. Adulteration of mackerel. U. S. * * * v. Dench & Hardy Co., a Corporation. Plea of guilty. Fine, \$200. (F. & D. No. 11444. I. S. No. 14006-r.)

On December 6, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dench & Hardy Co., a corporation, Boston, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 9, 1919, from the State of Massachusetts into the State of New York, of a quantity of mackerel which was adulterated.

Examination of a sample of the article made in the Bureau of Chemistry of this department showed that the mackerel were soft, mushy, and decomposed.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On December 31, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

7574. Misbranding of potatoes. U. S. * * * v. George Wager and Archie Foster (George Wager & Co.). Plea of guilty by the defendant George Wager. Fine, \$50. Nolle pros as to the defendant Archie Foster. (F. & D. No. 11608. I. S. No. 13810-r.)

On December 16, 1919, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George Wager and Archie Foster, trading as George Wager & Co., Edmore, Mich., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 30, 1919, from the State of Michigan into the State of New York, of a quantity of potatoes which were misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed that the sacks were not marked with the net weight of the contents.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On December 19, 1919, the defendant George Wager, entered a plea of guilty to the information, and the court imposed a fine of \$50. A nolle pros was entered as to the defendant, Archie Foster.

E. D. BALL, *Acting Secretary of Agriculture.*

7575. Adulteration of oysters. U. S. * * * v. Thomas W. Burke, William T. Davis, and L. C. James (National Packing Co.). Pleas of nolo contendere. Fine, \$20 and costs. (F. & D. No. 11610. I. S. Nos. 3539-p, 3549-p, 13693-r, 13394-r.)

On December 20, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Thomas W. Burke, William T. Davis, and L. C. James, trading as the National Packing Co., Baltimore, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about March 6, 1918, March 12, 1918, February 3, 1919, and January 21, 1919, from the State of Maryland into the State of Pennsylvania, of quantities of oysters which were adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Shipment of—			
	March 6, 1918.	March 12, 1918.	January 21, 1919.	February 3, 1919.
Drained meat (per cent).....	83.0	80.9	76.6	81.84
Liquor (per cent).....	17.0	19.1	23.4	18.16
Solids in meat (per cent).....	13.17	12.57	13.45	13.53
Solids in liquor (per cent).....	3.75	2.77	5.37	4.91
NaCl in meat (per cent).....	0.02	0.04	0.01	0.03
NaCl in liquor (per cent).....	0.06	0.23	0.27	0.06
Loss on boiling (per cent).....	55.5	55.3	57.9	56.7
Solids on sample as received (per cent).....	11.57	10.70	11.55	11.97

The product contains added water.

Adulteration of the article in each shipment was alleged in the information for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On December 20, 1919, the defendants entered pleas of *nolo contendere* to the information, and the court imposed a fine of \$20 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7576. Adulteration and misbranding of acid acetylo-salicylic tablets. U. S. * * * v. Harry A. Jame and Irving H. Annis (Jame & Annis). Pleas of guilty. Fine, \$25. (F. & D. No. 8218. I. S. No. 10526-1.)

On June 18, 1917, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Harry A. Jame and Irving H. Annis, trading as Jame & Annis, late of Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about November 22, 1915, from the city of Omaha in the State of Nebraska into the State of Minnesota, of a quantity of an article, labeled in part "Compressed Tablets Acid Acetylo-Salicylic," which was adulterated and misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that the tablets contained 7.74 per cent of acetanilid, and were composed essentially of acetanilid, starch, and sugar.

Adulteration of the article was alleged in the information for the reason that it was offered for sale as and for tablets, each containing 5 grains of acetylo-salicylic acid, and its strength and purity fell below the professed standard and quality under which it was sold, in that each of said tablets did not contain any acetylo-salicylic acid whatever.

Misbranding of the article was alleged for the reason that the following statements, designs, and devices, regarding the article and the ingredients and substances contained therein, appearing on the label, to wit, "Tablets Acid Acetylo-Salicylic 5 grains," were false and misleading in that they represented to purchasers that the article consisted of tablets, each of which contained 5 grains of acetylo-salicylic acid, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it consisted of tablets, each of which contained 5 grains of acetylo-salicylic acid, when, in truth and in fact, it did not consist of tablets, each of which contained 5 grains of acetylo-salicylic acid, but consisted of, to wit, tablets, which did not contain any acetylo-salicylic acid whatever. Misbranding was alleged for the further reason that the article contained 7.74 per cent of acetanilid, and the package failed to bear a statement on the label of the quantity or proportion of acetanilid contained therein.

On January 10, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

7577. Misbranding of tea. U. S. * * * v. C. D. Gregg Tea & Coffee Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 9247. I. S. Nos. 9154-p, 19627-p.)

On March 20, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against

the C. D. Gregg Tea & Coffee Co., a corporation, doing business at Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on October 25, 1917 (2 shipments), from the State of Illinois into the State of Michigan, of quantities of tea which was misbranded. The article was variously labeled in part, "Gregg's Brand Ceylon Fancy Tea," "Gregg's Brand Japan Fancy Tea," and "Gregg's Brand English Breakfast Fancy Tea." The tea was invoiced as " $\frac{1}{2}$ # pkgs. Teas," but no declaration of net weight was made on the package.

Examination of samples of the article made in the Bureau of Chemistry of this department showed the following results:

	Ounces.
The Ceylon Tea, average net weight, 100 packages-----	6.66
The Japan Tea, average net weight, 6 packages-----	7.69
The English Breakfast Tea, average net weight, 6 packages--	7.95

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 29, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7578. Misbranding of cottonseed meal. U. S. * * * v. Union Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 9496. I. S. No. 9159-m.)

On April 14, 1919, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Cotton Oil Co., a corporation, Birmingham, Ala., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 2, 1917, from the State of Alabama into the State of Maine, of a quantity of an article, labeled in part "Jersey Brand Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the following results:

	Per Cent.
Nitrogen -----	5.39
Protein (N×6.25)-----	33.69
Crude fiber-----	12.37
Ammonia-----	6.55

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "38.62 to 41% Protein Guaranteed Analysis Ammonia 7.50% Protein 38.62% * * * Nitrogen 6.00%," "These are minimum guarantees frequently runs higher," "Fiber, maximum 10.00%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 38.62 per cent protein, not less than 7.50 per cent ammonia, not less than 6.00 per cent nitrogen, and not more than 10 per cent fiber, and for the further reason that it was labeled as afore-said so as to deceive and mislead the purchaser into the belief that it contained not less than 38.62 per cent protein, not less than 7.50 per cent ammonia, not less than 6.00 per cent nitrogen, and not more than 10.00 per cent fiber, whereas, in truth and in fact, it contained less protein, ammonia, and nitro-

gen, and a greater amount of fiber than was declared on the label, to wit, approximately 33.69 per cent protein, 6.55 per cent ammonia, 5.39 per cent nitrogen, and 12.37 per cent fiber.

On March 10, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

7579. Misbranding of cottonseed meal. U. S. * * * v. Southern Cotton Oil Co., a Corporation. Plea of guilty. Fine, \$25. (F. & D. No. 9722. I. S. No. 15408-p.)

On April 28, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Southern Cotton Oil Co., a corporation doing business at New Port, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 1, 1917, from the State of Arkansas into the State of Michigan, of a quantity of an article, labeled in part "Danish Brand Cotton Seed Meal," which was misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the following results:

	Per Cent.
Crude protein-----	33.95
Total nitrogen-----	5.43

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Protein 36.00% * * * Equivalent Nitrogen 5.75%," was false and misleading in that it represented that the article contained not less than 36 per cent of protein and not less than 5.75 per cent of nitrogen, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 36 per cent of protein and not less than 5.75 per cent of nitrogen, whereas, in truth and in fact, it contained less than 36 per cent of protein and less than 5.75 per cent of nitrogen, to wit, approximately 33.95 per cent of protein and 5.43 per cent of nitrogen.

On December 22, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

7580. Misbranding of Dr. Clifton's Brazilian Herbs. U. S. * * * v. Henry W. Clifton and Nancy A. Dix. Pleas of guilty. Fine, \$50 and costs. (F. & D. No. 9785. I. S. No. 8180-p.)

On July 18, 1919, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Henry W. Clifton and Nancy A. Dix, Girard, Ill., alleging shipment by said defendants, under the name of the Clifton Drug Co., in violation of the Food and Drugs Act, as amended, on or about May 4, 1918, from the State of Illinois into the State of Missouri, of a quantity of an article, labeled in part "Dr. Clifton's Brazilian Herbs The Great Stomach, Kidney and Liver Regulator," which was misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of powdered vegetable drugs, among which were aloes, senna leaves, damiana leaves, uva ursi leaves, cascara bark, and ginger.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements, appearing on the labels of the boxes and cartons, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for rheumatism, pimples, boils, scrofula, eruptions, dizziness, sour stomach, colic, nervousness, and all stomach, liver, and kidney diseases, belching of gas, nausea, heartburn, and distress after eat-worn-out feeling, to tone and strengthen the digestive organs, impart new life, purify the blood, sharpen the appetite, aid digestion, and overcome tired worn-out feeling, to tone and strengthen the digestive organs, impart new life, vim, and vigor to the entire system, as a prolonged treatment of weak, nervous, tired, and worn-out people, and as a reconstructive tonic for toning [and] stimulating the liver and flushing the kidneys, and as a positive cure for constipation, indigestion, sour stomach, colic, rheumatism, and all diseases of the blood and stomach, when, in truth and in fact, it was not.

It was alleged in substance that the article was misbranded for the further reason that certain statements, included in the circular accompanying the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for kidney, liver, and stomach troubles, dyspepsia, indigestion, sick or nervous headache, heart disease, epilepsy, consumption, nervousness, many incurable kidney diseases, diseases of the liver, kidneys, stomach, and intestines, as a blood purifier, and to inspire new life, tone and strengthen the entire system and restore the full vigor of new man or womanhood, for heartburn, nausea, coated tongue, distress after eating, and rheumatism, as a system renovator, for any ailment, and to give perfect health, when, in truth and in fact, it was not.

On January 31, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7581. Adulteration and misbranding of Red Bird Liquor Choc. U. S. * * * v. Massachusetts Chocolate Co., a Corporation. Plea of nolo contendere. Fine, \$100. (F. & D. No. 9813. I. S. No. 6582-p.)

On July 24, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Massachusetts Chocolate Co., a corporation, Boston, Mass., alleging shipment by the said company, in violation of the Food and Drugs Act, on or about March 2, 1918, from the State of Massachusetts into the State of New York, of a quantity of an article, labeled in part "Red Bird Liquor Choc.," which was adulterated and misbranded.

A microscopical examination of a sample of the article by the Bureau of Chemistry of this department showed the presence of from 8 to 9 per cent of cocoa shells.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cocoa shells, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for chocolate liquor, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Liquor Choc.," borne on the boxes containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of, to wit, chocolate liquor, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of,

to wit, chocolate liquor, whereas, in truth and in fact, it did not so consist, but consisted in part of an excessive amount of cocoa shells.

On April 21, 1920, the defendant company entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

7582. Adulteration of shell eggs. U. S. * * * v. Redie Lee Crenshaw.
Plea of guilty. Fine, \$25 and costs. (F. & D. No. 9902. I. S. No. 6060-r.)

On July 15, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Redie Lee Crenshaw, Dyer, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 13, 1918, from the State of Tennessee into the State of Missouri, of a quantity of shell eggs which were adulterated.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that in 2 cases examined there were 324 inedible eggs, or 45 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 27, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7583. Misbranding of oat feed. U. S. * * * v. Quaker Oats Co., a Corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 10459. I. S. No. 11727-r.)

On September 28, 1919, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Quaker Oats Co., a corporation doing business at Fort Dodge, Iowa, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 16, 1918, from the State of Iowa into the State of Minnesota, of a quantity of an article, invoiced as "Oat Feed," which was misbranded. The goods were reshipped from Minnesota to Wisconsin.

Examination of a sample of the article by an inspector of the State of Wisconsin, authorized to investigate violations of the Food and Drugs Act, showed that none of the sacks in the shipment bore a statement of the quantity of the contents thereof.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 13, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7584. Adulteration and misbranding of Big G. U. S. * * * v. 10 Bottles of Big G. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11017. I. S. No. 12965-r. S. No. E-1657.)

On July 23, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 10 bottles of Big G, consigned on June 11, 1919, remaining

unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Evans Chemical Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Big G A compound of Borated Goldenseal Derivative A remedy for Catarrh, Hay Fever, and Inflammations, Irritations or Ulcerations of mucous membranes or Linings of the Nose, Throat, Stomach and Urinary Organs" (similar statements in Spanish); (bottle) "Big G * * * A Treatment For Unnatural Discharges of the urinary organs, Catarrh, Hay Fever and Inflamed, Ulcerated, Itching conditions of the skin and mucous membrane or linings of the Mouth, Nose, Throat, Eye and Ear;" (booklet) "Catarrh—Chronic, of the Head. * * * Hay Fever * * * Conjunctivitis, Inflammation of the Eye * * * Cystitis * * * Gastritis—Catarrh of the Stomach * * * Haemorrhoids—Piles * * * Throat Troubles * * * Gonorrhoea * * * Gleet * * * Chronic Gonorrhoea, * * * Stricture * * * Folliculitis * * * Gonorrhoeal Prostatitis * * * Bubo * * * Gonorrhoeal Cystitis. * * * As a preventative * * * Balanitis * * * Bubo—Inflammation and swelling of a Lymphatic Gland of the Groin, * * * Leucorrhoea—Whites—Catarrh of the Vagina * * *" (similar statements in French, Spanish, and German).

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of an aqueous solution of borax and berberine. No hydrastine was present.

Adulteration of the article was alleged in the libel of information in substance for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, to wit, "A compound of borated goldenseal," and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time, and its own standard of strength, quality, and purity was not plainly stated on the container thereof, and for the further reason that its strength fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in substance for the reason that certain statements, appearing on the carton and bottle, and in the accompanying booklet, regarding the curative and therapeutic effects of the article for the treatment, cure, or prevention of catarrh, hay fever, inflammations, irritations or ulcerations of mucous membranes or linings of the nose, throat, stomach, and urinary organs, for unnatural discharges of the urinary organs, inflamed, ulcerated, itching conditions of the skin and mucous membrane or linings of the mouth, nose, throat, eye, and ear, inflammation of the eye, cystitis, gastritis, catarrh of the stomach, hemorrhoids, piles, throat troubles, gonorrhœa, gleet, chronic gonorrhœa, stricture, folliculitis, gonorrhœal prostatitis, bubo, gonorrhœal cystitis, balanitis, inflammation or swelling of a lymphatic gland of the groin, leucorrhœa, whites, catarrh of the vagina, and certain other diseases, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed. Misbranding was alleged for the further reason that the statement, "Borated Goldenseal," borne on the carton, not sufficiently corrected by the word, "derivative," stamped indistinctly below it on the carton, was false and misleading.

On September 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7585. Adulteration and misbranding of canned strawberries. U. S. * * * v. 66½ Cases of Canned Strawberries. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 11452. I. S. No. 2098-r. S. No. W-519.)

On October 14, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 66½ cases of canned strawberries, consigned by George H. Hookes Co., Watsonville, Calif., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about October 22, 1918, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act. A portion of the cans bore no label, and a portion of the cans were labeled in part, "Hooke's Solid Pack Strawberries Packed by Geo. H. Hookes Co. Watsonville, California."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, decayed and decomposed fruit.

Misbranding of the article was alleged in substance for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On November 24, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be disposed of by private or public sale by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7586. Adulteration of raisins. U. S. * * * v. 280 Boxes of Raisins. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11457. I. S. No. 17286-r. S. No. E-1827.)

On October 15, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 280 boxes of raisins, consigned on September 29, 1919, and October 1, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by Francis H. Leggett & Co., New York, N. Y., and transported from the State of New York into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "California Thompson Seedless Raisins California Associated Raisin Company Office, Fresno, California."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, sand, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength.

On December 2, 1919, the said Francis H. Leggett & Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,100, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7587. Misbranding of G-U-C Capsules. U. S. * * * v. 4½ Dozen Bottles of G-U-C Capsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11474. I. S. No. 17322-r. S. No. E-1829.)

On October 20, 1919, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of said District, holding a District Court, a libel for the seizure and condemnation of 4½ dozen bottles of G-U-C Capsules, at Washington, D. C., alleging that the article had been shipped, on or about July 25, 1919, by the Hollander-Koshland Co., Baltimore, Md., and transported from the State of Maryland into the District of Columbia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle and wrapper) "G-U-C Capsules * * * Highly recommended in the treatment of Gonorrhoea & Gleet and disorders of a similar nature and origin * * *; (circular) Capsules For Gonorrhoea and Gleet * * * Under proper treatment, the acute and painful symptoms of Gonorrhoea more or less quickly disappear, * * * Take one of these Capsules every two hours * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that the contents of the capsules consisted of a sulphurated oil with volatile oils, including copaiba, cinnamon, and santal oils.

Misbranding of the article was alleged in the libel for the reason that the statements, borne on the labels of the bottles containing, and on the wrappers enclosing, and in the circulars accompanying the article, regarding the article, were false and fraudulent in that they were, severally, statements of the curative and therapeutic effect of the article and of the ingredients and substances contained therein, which statements were false and fraudulent for the reason that the article contained no ingredient or combination of ingredients in proper quantity and strength capable of producing the therapeutic effect claimed for it.

On November 12, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7588. Misbranding of Lung Germine. U. S. * * * v. The Lung Germine Co., a Corporation. Plea of guilty. Fine, \$50. (F. & D. No. 8813. I. S. No. 11073-m.)

On August 24, 1918, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Lung Germine Co., a corporation, Jackson, Mich., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 19, 1917, from the State of Michigan into the State of Minnesota, of a quantity of an article, labeled in part "Lung Germine," which was misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of 13.8 per cent of sulphuric acid, 15.5 per cent by volume of alcohol, a small amount of iron sulphate, aromatics, and water.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements, appearing on the labels of the bottles containing, and on the cartons enclosing the article, falsely and fraudulently represented it as effective, among other things, to destroy the germs of diseases in the lungs, and as a treatment for lung and bronchial diseases in incipient stages, and as a remedy for lung and bronchial diseases in incipient stages, when, in truth and in fact, it was not. It was alleged in substance that

the article was misbranded for the further reason that certain statements, included in the booklet accompanying the article, falsely and fraudulently represented it as a treatment for lung and bronchial affections and effective as a remedy for any form of lung or bronchial trouble that has not passed the incipient stage, when, in truth and in fact, it was not.

On March 16, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

7589. Misbranding of O. D. C. X-Z-MA Remedy. U. S. * * * v. O. D. C. Co., a Corporation. Plea of nolo contendere. Fine, \$25. (F. & D. No. 9246. I. S. No. 2178-p.)

On January 15, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the O. D. C. Co., a corporation, Boston, Mass., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about November 6, 1917, from the State of Massachusetts into the State of Rhode Island, of a quantity of an article, labeled in part "O. D. C. X-Z-MA Remedy," which was misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of a mixture of 1.16 per cent of metallic mercury, approximately 10 per cent of a pine oil, probably turpentine, and a base composed of petrolatum, paraffin, and possibly wool fat.

It was alleged in substance that the article was misbranded for the reason that certain statements, appearing on the labels of the carton containing, and tube enclosing the article, falsely and fraudulently represented it as a cure for eczema and kindred diseases of the skin, when, in truth and in fact, it was not.

It was alleged in substance that the article was misbranded for the further reason that certain statements, included in the circular accompanying the article, falsely and fraudulently represented it as a cure for eczema and kindred diseases of the skin, as a cure for dandruff, and effective as a treatment, remedy, and cure for psoriasis, and as a cure for acne and pimples, when, in truth and in fact, it was not.

On April 20, 1920, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

7590. Adulteration and misbranding of olive oil. U. S. * * * v. Giuseppe Crisafulli and Stefano Crisafulli (Crisafulli Bros.). Pleas of guilty. Fine, \$100. (F. & D. No. 9793. I. S. No. 13725-r.)

On October 27, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Giuseppe Crisafulli and Stefano Crisafulli, copartners, trading as Crisafulli Bros., New York, N. Y., alleging shipment by said defendants, on June 26, or August 7, 1918, from the State of New York into the State of Connecticut, of a quantity of an article labeled in part, "Finest Quality Table Oil La Migliore Brand Corn Salad Oil compounded with Extra Fine Olive Oil."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that the product consisted almost entirely of corn oil, and that the 1-gallon cans were short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, corn oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in large part for olive oil, which the article purported to be.

Misbranding of the article in the 1-gallon cans was alleged for the reason that the statements, to wit, "Finest Quality Table Oil," "Extra Fine Olive Oil," "Net Contents One Gallon," together with the design and device of olive branches bearing olives, not corrected by the statement in inconspicuous type, "Corn salad oil compound with * * *," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, and that each of said cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in large part of corn oil, and each of said cans did not contain 1 gallon net of the article, but contained a less amount. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

Misbranding of the article in the $\frac{1}{2}$ -gallon cans was alleged for the reason that the statements, to wit, "Finest Quality Table Oil," "Extra Fine Olive Oil," together with the design and device of olive branches bearing olives, not corrected by the statement in inconspicuous type, "Corn salad oil compound with * * *," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, whereas, in truth and in fact, it was not, but was a mixture composed in large part of corn oil.

On November 26, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

7591. Adulteration and misbranding of olive oil. U. S. * * * v. Anastasios L. Mihalaplos (A. L. Mihalaplos & Co.). Plea of guilty. Fine, \$10. (F. & D. No. 9195. I. S. No. 2685-p.)

On November 15, 1918, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Anastasios L. Mihalaplos, trading as A. L. Mihalaplos & Co., Boston, Mass., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about December 5, 1917, from the State of Massachusetts into the State of Maine, of a quantity of olive oil which was adulterated and misbranded. The article was labeled in part, "Kilkis EAAION TYNHSION Brand Pure Olive Oil Net Contents $\frac{1}{4}$ Gal."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that the product consisted of cottonseed oil, with a small proportion of olive oil, and was short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower, and reduce, and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Pure Olive Oil" and "Net Contents $\frac{1}{4}$ Gal.," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, and that the net contents of said cans was $\frac{1}{4}$ gallon each, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, and that the net contents of said cans was $\frac{1}{4}$ gallon each, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and the net contents of each of said cans was not $\frac{1}{4}$ gallon, but was a less amount, and for the further reason that it was a mixture composed in part of cottonseed oil prepared in imitation of pure olive oil, and was offered for sale and sold under the distinctive name of another article, to wit, pure olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 23, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

7592. Misbranding of Aunt Patsy's Poultry Feed. U. S. * * * v. James P. Gentry (Aunt Patsy Poultry Feed Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 10591. I. S. No. 11678-r.)

On January 28, 1920, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James P. Gentry, trading as the Aunt Patsy Poultry Feed Co., Memphis, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about April 17, 1918, from the State of Tennessee into the State of Texas, of a quantity of an article, labeled in part "Aunt Patsy's Poultry Feed with Oyster Shell," which was misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the following results:

	Per cent.
Moisture -----	8.22
Ether extract-----	3.29
Crude fiber -----	15.88
Nitrogen -----	2.73
Ammonia -----	3.31
Protein -----	17.1
Oyster shells -----	10.1

No evidence of the presence of meat scraps was found.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Fat Not Less than 3.50 per cent," "Crude Fiber Not More Than 11.00 per cent," "7% Meat Scraps," and "2% Oyster Shells," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 3.50 per cent of fat, not less than 7 per cent of meat scraps, not more than 11 per cent of crude fiber, and not more than 2 per cent of oyster shells, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 3.50 per cent of fat, not less than 7 per cent of meat scraps, not more than 11 per cent

of crude fiber, and not more than 2 per cent of oyster shells, whereas, in truth and in fact, it contained less than 3.50 per cent of fat and less than 7 per cent of meat scraps, and contained more than 11 per cent of fiber and more than 2 per cent of oyster shells.

On February 19, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7593. Misbranding of Neovita and Pektomel. U. S. * * * v. Ignatz J. Rigelhaupt (Lazarus Medicine Co.). Plea of guilty. Fine, \$200 and costs. (F. & D. No. 9241. I. S. Nos. 2325-p, 2952-p.)

On January 27, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ignatz J. Rigelhaupt, trading as the Lazarus Medicine Co., Philadelphia, Pa., alleging the sale by said defendant, on or about August 24, 1917, and December 17, 1917, respectively, in violation of the Food and Drugs Act, as amended, under a guaranty that the articles were not adulterated or misbranded within the meaning of the said act, of quantities of articles, labeled in part "Neovita" and "Pektomel," which were misbranded articles within the meaning of the said act, and which said articles in the identical condition in which they were received, were shipped by the purchasers thereof, on or about August 24, 1917, and December 18, 1917, respectively, from the State of Pennsylvania into the State of New Jersey, in further violation of the said act.

Analysis of a sample of the Neovita made in the Bureau of Chemistry of this department showed that it consisted essentially of the bromids, chlorids and valerates of ammonium, sodium, and strontium, iron, sugars, water, and 6.4 per cent by volume of alcohol. The valeric acid was apparently derived from valerian, and the iron appeared to be in an organic combination. Analysis of a sample of the Pektomel showed that it consisted essentially of ammonium chlorid, extracts of glycyrrhiza (licorice) and ipecac, sugars, a fixed oil, volatile oil of anise, water, and 4.73 per cent by volume of alcohol.

It was alleged in substance in the information that the Neovita was misbranded for the reason that certain statements, appearing on the labels of the bottles and wrappers, falsely and fraudulently represented it to be effective as a restorative for disturbed and shattered nerves, as a tonic, and as a treatment, remedy, and cure for neuralgia, exhaustion, and loss of energy, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements, included in the circular accompanying the article, falsely and fraudulently represented it to be effective as an elixir of life, and as a treatment, remedy, and cure for despondency, sexual weakness, dizziness, backache, cramps, nervousness, and palpitation of the heart, to prevent serious illness, to secure sound, strong nerves, lasting health, new life, and perfect happiness, as a powerful nerve tonic giving strength, renewed energy, and vigor to men and women, when, in truth and in fact, it was not. Misbranding of the article was alleged for the further reason that it contained alcohol, and the label failed to bear a plain and conspicuous statement of the quantity or proportion of alcohol contained therein.

It was alleged in substance that the Pektomel was misbranded for the reason that certain statements, appearing on the labels of the bottles and wrappers, falsely and fraudulently represented it as a remedy, treatment, and cure for lung, throat, chest, and bronchial troubles, when, in truth and in fact, it was

not. It was alleged in substance that the article was misbranded for the further reason that certain statements, included in the circular accompanying the article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for difficult breathing, pains and oppression in chest and sides, spitting of blood, night sweats, tuberculosis or consumption, catarrhal affections of the lungs, throat, and chest, for catarrhal conditions of the respiratory organs, long, lasting cough, incipient influenza or grippe, to prevent serious illness, to ward off disease, and for asthma, whereas, in fact and in truth, it was not. Misbranding of the article was alleged for the further reason that it contained alcohol, and the label failed to bear a plain and conspicuous statement of the quantity or proportion of alcohol contained therein.

On February 26, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$200 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7594. Misbranding of Bliss Native Herbs. U. S. * * * v. 8½ Dozen Boxes, 13½ Dozen Boxes, and 11 Dozen Boxes of Bliss Native Herbs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 11288, 11289, 11295. I. S. Nos. 17269-r, 17264-r, 17257-r, 17258-r, 17259-r. S. Nos. E-1743, E-1744, E-1745.)

On September 23, 1919, and September 24, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district 3 libels praying the seizure and condemnation of 8½ dozen boxes, 13½ dozen boxes, and 11 dozen boxes of Bliss Native Herbs, consigned on or about August 31, 1919, August 14, 1919, and September 2, 1919, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Alonzo O. Bliss Medical Co., Washington, D. C., and transported from the District of Columbia into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Auto-intoxication is a new name for Chronic Intestinal stasis (constipation) that is the cause of 95% of human ailments and diseases. * * * To restrain the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication we strongly recommend Bliss Native Herb Tablets that successfully adjusts bowel troubles. Intestinal Indigestion. * * * Rheumatism Bliss Native Herbs is valuable for Sciatica, Lumbago, acute and chronic rheumatic pains, enlargement of joints. Corrects the blood, dissolving acids that accumulate in the system. * * * Dyspepsia—Indigestion. * * * Kidneys and Bladder Inflammation of bladder, scalding urine and brick-dust sediment. Backache, sharp shooting pains in back, weakness, indicates kidney and bladder trouble. Directions—Take one or two Bliss Native Herbs Tablets each night and drink frequently of water. Liver When the liver is out of order the symptoms are pronounced headache, sallow complexion, constipation and dizziness, yellow eyeballs, jaundice, sour stomach, variable appetite and generally out-of-sorts condition. Directions—Take one or two Bliss Tablets, followed by one each day until thoroughly regulated. Chronic liver ailments readily submit to treatment with Bliss Native Herbs. Catarrh This is the name of common affection of the membrane lining of the nose and throat. It also spreads to the stomach and bowels, and the mucus is thus carried all over the body. When this disease is in the system, Bliss Native Herbs should be used to regulate the stomach and bowels and to purify the blood, thus affording the body more nourishment and force to throw off the ailment and also providing the means of carrying it from the system. Directions—One tablet each night before retiring, repeat

in the morning if necessary. Deep-seated catarrhal affection whether of the head or stomach requires persistent and consistent treatment. Bliss Herbs are guaranteed effective. Grippe Influenza or epidemic catarrh, characterized by active catarrhal inflammations, attended by severe pains throughout the body, sometimes followed by disability. Directions—One to three tablets the first three nights, thereafter one-half to one tablet to warrant free bowel action. The Blood—Bliss Native Herbs is a great blood stimulator, which also aids in benefiting many of the bodily organs, and healing the afflicted or diseased parts reached through the blood. * * * Piles One of the principal causes of piles is constipation, produced, frequently, by straining at stool and by lack of exercise of the rectal muscles. The blood becomes stagnated, the blood vessels are enlarged and press against the delicate tissues, causing them to undergo change from healthy tissue to thickened and enlarged lumps or piles. Neglected piles soon develop into anal fistulas, ulcers of the rectum, etc. The sensible thing to do is to use Bliss Native Herbs Tablets. * * * Malaria, Chills and Fever Bliss Native Herbs should be taken for this ailment in dose of three tablets the first night and then one each night thereafter until every symptom has disappeared. * * * 'After suffering from Piles for a long time I was induced to try Bliss Native Herbs. I am thankful to say that I did try them and they cured me completely. I shall always keep a supply on hand and will always recommend them in the highest terms to everyone that I hear of suffering from that painful and annoying disease.' * * * 'I am 85 years old and I am in better health now than when I was 77, thanks to Bliss Native Herbs for they cured me of Rheumatism that I had suffered from for years, and kidney trouble which caused me no end of pain. I was advised to take Bliss Native Herbs by my sister and I have been thankful ever since, because I am free from that terrible pain in my back. I can truthfully recommend Bliss Native Herbs to all who suffer from rheumatism, kidney or liver trouble.' * * * 'I was tortured as a result of abscess on the liver that the doctor said would kill me if I did not do something soon, and he treated me for some time by washing my stomach but this didn't bring me relief, so I tried Bliss Native Herbs Tablets and can truthfully say that I am free from Liver or Stomach trouble.' * * * 'Asthma troubled me so much that I could not lie down at nights, and my friends had given me up to die. I was advised to take Bliss Native Herbs, and before using an entire box could rest lots better. I now sleep good at nights; feel good, and can work as hard as ever. I will keep Bliss Native Herbs in my house as long as I live.' * * *"

Analyses of samples of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of aloes, buchu, and licorice, with indications of uva ursi.

Misbranding of the article was alleged in the libels for the reason that the statements appearing on the packages and boxes containing the article, regarding the curative and therapeutic effects thereof, as above set forth, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 21, 1919, for the purpose of adjudication of the cases, an order was entered consolidating the three cases into one action, and on December 16, 1919, the said Alonzo O. Bliss Medical Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7595. Misbranding of Bliss Native Herb Tablets. U. S. * * * v. 11
Dozen Boxes of Bliss Native Herb Tablets. Default decree of con-
demnation, forfeiture, and destruction. (F. & D. No. 11405. I. S.
Nos. 13509-r, 13510-r. S. No. E-1771.)

On October 1, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 dozen boxes of Bliss Native Herb Tablets, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about August 15, 1919, by the Alonzo O. Bliss Medical Co., Washington, D. C., and transported from the District of Columbia into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton, 50-cent size) “* * * Indigestion, Dyspepsia, Auto-intoxication, Sick and Nervous Headaches, Kidney and Liver Derangements, Loss of Appetite, Blood Impurities, etc.,” (circular, \$1.00 and 50-cent sizes) “Auto-Intoxication is a new name for Chronic Intestinal stasis (constipation) that is the cause of 95% of human ailments and diseases. * * * To restrain the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication we strongly recommend Bliss Native Herbs Tablets that successfully adjusts bowel troubles. Intestinal Indigestion * * * Rheumatism Bliss Native Herbs is valuable for Sciatica, Lumbago, acute and chronic rheumatic pains, enlargement of joints. Corrects the blood, dissolving acids that accumulate in the system. * * * Dyspepsia—Indigestion. * * * Kidneys and Bladder Inflammation of bladder, scalding urine and brick-dust sediment. Backache, sharp shooting pains in back, weakness, indicates kidney and bladder trouble. Directions—Take one or two Bliss Native Herbs Tablets each night and drink frequently of water. Liver When the liver is out of order the symptoms are pronounced headache, sallow complexion, constipation and dizziness, yellow eyeballs, jaundice, sour stomach, variable appetite and generally out-of-sorts condition. Directions—Take one or two Bliss Tablets, followed by one each day until thoroughly regulated. Chronic liver ailments readily submit to treatment with Bliss Native Herbs. Catarrh This is the name of a common affection of the membrane lining of the nose and throat. It also spreads to the stomach and bowels, and the mucus is thus carried all over the body. When this disease is in the system, Bliss Native Herbs should be used to regulate the stomach and bowels and to purify the blood, thus affording the body more nourishment and force to throw off the ailment and also providing the means of carrying it from the system. Directions—One tablet each night before retiring, repeat in the morning if necessary. Deep-seated catarrhal affection whether of the head or stomach requires persistent and consistent treatment. Bliss Native Herbs are guaranteed effective. Grippe Influenza or epidemic catarrh, characterized by active catarrhal inflammations, attended by severe pains throughout the body, sometimes followed by disability. Directions—One to three tablets the first three nights, thereafter one-half to one tablet to warrant free bowel action. The Blood * * * Bliss Native Herbs is a great blood stimulator, which also aids in benefiting many of the bodily organs, and healing the afflicted or diseased parts reached through the blood. * * * Piles One of the principal causes of piles is constipation, produced, frequently, by straining at stool and by lack of exercise of the rectal muscles. The blood becomes stagnated, the blood vessels are enlarged and press against the delicate tissues, causing them to undergo change from healthy tissue to thickened and enlarged lumps or piles. Neglected piles soon develop into anal fistulas, ulcers

of the rectum, etc. The sensible thing to do is to use Bliss Native Herbs Tablets. * * * Malaria, Chills and Fever Bliss Native Herbs should be taken for this ailment in dose of three tablets the first night and then one each night thereafter until every symptom has disappeared. * * * 'After suffering from Piles for a long time I was induced to try Bliss Native Herbs. I am thankful to say that I did try them and they cured me completely. I shall always keep a supply on hand and will always recommend them in the highest terms to everyone that I hear of suffering from that painful and annoying disease.' * * * 'I am 85 years old and I am in better health now than when I was 77, thanks to Bliss Native Herbs for they cured me of Rheumatism that I had suffered from for years, and kidney trouble which caused me no end of pain. I was advised to take Bliss Native Herbs by my sister and I have been thankful ever since, because I am free from that terrible pain in my back. I can truthfully recommend Bliss Native Herbs to all who suffer from rheumatism, kidney or liver trouble.' * * * 'I was tortured as a result of abscess on the liver that the doctor said would kill me if I did not do something soon, and he treated me for some time by washing my stomach but this didn't bring me relief, so I tried Bliss Native Herbs Tablets and can truthfully say that I am free from Liver or Stomach trouble.' * * * 'Asthma troubled me so much that I could not lie down at nights, and my friends had given me up to die. I was advised to take Bliss Native Herbs, and before using an entire box could rest lots better. I now sleep good at nights; feel good, and can work as hard as ever. I will keep Bliss Native Herbs in my house as long as I live.' * * *

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of aloes, licorice, buchu, a pungent drug, such as red pepper, and a resin-bearing drug, such as podophyllum or galangal.

It was alleged in substance in the libel that the article was misbranded for the reason that it was not capable of producing the curative and therapeutic effects claimed for it on the labels, cartons, and circulars, and that the above-quoted statements, contained in said labels, cartons, and circulars, as to the therapeutic and curative effects of said drugs and of the ingredients and substances contained therein, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed in the statements upon the labels and cartons, and [in the] circulars.

On April 14, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7596. Adulteration of oysters. U. S. * * * v. Eagle Packing Co., a Corporation. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 11431. I. S. Nos. 13339-r, 13341-r, 13378-r, 13392-r.)

On March 6, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Eagle Packing Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 15, 1919 (2 shipments), February 3, 1919, and January 28, 1919, from the State of Maryland into the State of Pennsylvania, of quantities of oysters which were adulterated. The article was labeled in part, "Eagle Brand Baltimore Oysters."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the following results:

	Shipment of—			
	January 15, 1919.		January 28, 1919.	February 3, 1919.
	(1)	(2)		
Drained meat (per cent).....	77.4	74.75	78.7	74.23
Liquor (per cent).....	22.6	25.5	21.3	25.77
Solids in meat (per cent).....	13.46	13.12	12.92	15.12
Solids in liquor (per cent).....	2.71	2.50	2.92	3.54
NaCl in meat (per cent).....	0.13	0.04	0.01	0.01
NaCl in liquor (per cent).....	0.02	0.23	0.12	0.14
Loss on boiling (per cent).....	59.0	55.6	54.0	53.2
Solids on sample as received (per cent).....	11.03	10.42	10.79	12.14

Product contains added water.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.

On March 6, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$20 and costs.

7597. Misbranding of Capitol Hog Remedy. U. S. * * * v. 9 Packages
*** * * of * * * Capitol Hog Remedy. Default decree of**
condemnation, forfeiture, and destruction. (F. & D. No. 11454. I. S.
No. 15550-r. S. No. E-1784.)

On October 11, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 packages of Capitol Hog Remedy, consigned on or about April 10, 1919, remaining unsold in the original unbroken packages at Laurel Grove, Md., alleging that the article had been shipped by the Capitol Food Co., Tiffin, Ohio, and transported from the State of Ohio into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Capitol Hog Remedy A superior concentrated remedy for swine. Recommended for Hog Cholera, * * * Inflammatory and all Contagious Diseases peculiar to swine; purifies the blood; expels worms; * * * prepares Pigs for the market in a very short time. Capitol Hog Remedy Recommended to cure and prevent diseases, produces an extraordinary rapid growth and prepares Pigs for the market in a much shorter time. Recommended to cure and prevent Hog Cholera and all contagious diseases peculiar to Swine; expels worms, and restores Hogs to a good healthy condition. * * * It will cost you thirty-six cents to feed Capitol Hog Remedy to one Hog regularly for three months, thus insuring no loss whatever from Cholera or any other disease, and placing your Hogs upon the market with but very little expense. * * * For Fattening Hogs—Give one tablespoonful to two or three Hogs or Shoats twice per day. This will keep them free from disease and prepare them for the market in a very short time. * * * For Hog Cholera—* * * Give from two to three tablespoonfuls of Capitol Hog Remedy three times a day for each Hog. * * * If already diseased increase at once to three and even four tablespoonfuls three times per day for

each Hog * * * Special care and attention should be exercised in order to procure the best results. * * * Capitol Hog Remedy A highly concentrated remedy for Swine. * * * an invaluable remedy for Hog Cholera, * * * Inflammatory conditions and all contagious diseases peculiar to Swine. * * * Expels worms, keeps the Hogs healthy * * * Capitol Hog Remedy insures health and a very rapid growth, prepares pigs for the market in a much shorter time. Capitol Hog Remedy * * * Hogs require entirely distinct compound from other domestic animals. Is it reasonable to believe that an ordinary Stock Remedy will cure and prevent your hogs from cholera, * * *".

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of powdered vegetable fiber, charcoal, quassia, nux vomica, sodium sulphate, ferrous sulphate, and salt, with small amounts of carbonates of sodium, calcium, and magnesium.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements, borne on the label of the cartons, regarding the curative and therapeutic effects thereof, were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On December 8, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7598. Misbranding of Texas Wonder. U. S. * * * v. 10 Dozen Bottles of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 11362. I. S. No. 16426-r. S. No. E-1768.)

On September 30, 1919, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 dozen bottles of Hall's Texas Wonder, remaining unsold in the original unbroken packages at Columbus, Ga., alleging that the article had been shipped on or about July 18, 1919, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "The Texas Wonder for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children;" (circular) (testimonial of Louis A. Porner, St. Louis, Mo.) "* * * began using The Texas Wonder for stone in the kidneys, inflammation of the bladder and tuberculosis of the kidneys * * *. His urine contained 40% pus. * * * was still using the medicine with wonderful results and his weight had increased * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, turpentine, guaiac, and alcohol.

Misbranding of the article was alleged in the libel for the reason that the product contained no ingredient or combination of ingredients capable of producing the effects claimed for it, to wit, "for Kidney and Bladder Troubles, Diabetes, Weak * * * Backs, Rheumatism and Gravel. Regulates Bladder Troubles in Children," and its strength and purity fell below the professed standard and quality under which it was sold. Misbranding of the article was alleged for the further reason that the statements, appearing on the packages and cartons containing, and in the circulars accompanying, the article, regarding the curative and therapeutic effects thereof, as above set forth, were false

and fraudulent in that the same were applied to the article knowingly and in a reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchaser thereof and to falsely create in his mind the impression and belief that the product contained ingredients and medicinal agents, effective as a remedy in the treatment and cure of bladder troubles, diabetes, weak and lame backs, rheumatism, and gravel, and as a regulative of bladder troubles in children, whereas, in truth and in fact, the said product did not contain ingredients or a combination of ingredients or medicinal agents effective as a remedy in the treatment or cure or regulation of the said diseases, ailments, affections, disorders, and maladies as labeled, marked, and branded on the packages, cartons, and circulars.

On December 9, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be labeled "Hall's Texas Wonder," and that it be sold by the United States marshal after the objectionable statements were erased.

E. D. BALL, *Acting Secretary of Agriculture.*

7599. Misbranding of Milks Emulsion. U. S. * * * v. 9 Cases and 8 Cases of Milks Emulsion. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11365. I. S. No. 2875-r. S. No. W-517.)

On October 10, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 9 cases, containing 12 large-size bottles, and 8 cases, containing 24 small-size bottles, of Milks Emulsion, consigned by The Milks Emulsion Co., Terre Haute, Ind., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on March 25, 1919, and August 26, 1919, and transported from the State of Indiana into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle and carton) "A Valuable Remedy For dyspepsia, indigestion, catarrh of stomach and bowels, * * * bronchial asthma, catarrhal croup, bronchitis, * * * Especially beneficial in incipient consumption * * *"; (booklet) "Milks Emulsion contains a great amount of fat, * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted of approximately 95 per cent of petrolatum, with small amounts of sirup, glycerin, and essential oils, including oil of lemon and methyl salicylate.

Misbranding of the article was alleged in the libel for the reason that the statements borne on the cartons enclosing, and on the labels on the bottles containing, and in the booklets accompanying, the article, regarding the curative or therapeutic effects thereof, as above set forth, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative or therapeutic effects claimed for it.

On November 24, 1919, the said Milks Emulsion Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7600. Misbranding of Milks Emulsion. U. S. * * * v. 12 Dozen Bottles of Milks Emulsion. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11369. I. S. No. 13513-r. S. No. E-1770.)

On October 1, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen bottles of Milks Emulsion, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about June 9, 1919, by the Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Milks Emulsion * * * A Valuable Remedy for dyspepsia, indigestion, catarrh of stomach and bowels, * * * bronchial asthma, catarrhal croup, bronchitis, * * * Especially beneficial in incipient consumption * * *," (cartons) "A valuable remedy for dyspepsia, indigestion, catarrh of the stomach and bowels * * * coughs due to sore throat, bronchitis or pneumonia. Incipient consumption, bronchial asthma, catarrhal croup. * * * strengthens the digestive organs, * * * enriching the blood and increasing the flesh. It gives relief in curable Throat, Lung, Stomach and Bowel Troubles, cleans and heals the afflicted parts and enables the machinery of the body to do its work properly, thus restoring strength and flesh and contributing to perfect health. Is very beneficial in incipient consumption, * * * coughs due to sore throat, bronchitis or pneumonia. Bronchial asthma, dyspepsia, indigestion, catarrh of the stomach and bowels, * * * It builds up their system, enriches their blood, improves the appetite, strengthens the throat, lungs and stomach, which are only too often the cause of croupy, weak and puny children. Relieves catarrhal croup, and several doses given during the day will prevent it. Thousands of mothers endorse Milks Emulsion because it strengthens their children * * *;" (booklet). "Consumption (In its Early stages) Can Be Cured The use of Milks Emulsion, which is 95 per cent petroleum, * * * in the treatment of tuberculosis of the lungs, * * * Milks Emulsion contains a great amount of fat, * * * It is absolutely necessary to clean the lungs of all poisonous pus before Nature can start to heal them. Milks Emulsion will start the accumulation of pus from the cavities that have formed in the lungs by the eating away of the tissues of the walls of the air cells by the tubercular germs, in ten to twenty-four hours. A 50c bottle will prove our statement. It will cause the consumptive to expectorate very freely, and loosen the cough as well. Consumption cannot be cured until these cavities have been cleaned out and kept clean, the sewage of the body cleaned out and kept clean, the stomach and bowels put in a good healthy condition, thus enabling the patient to digest and assimilate his food, thereby building up the blood and tissue, which is necessary for the patient's strength in order that he may combat the weakening effect of tuberculosis. After this has been accomplished, Nature will cause the lungs to heal and build up rapidly. * * * 'I was suffering from that awful disease, tuberculosis of the bones, affecting both legs and arms. At one time I had seventy-two (72) risings and boils on my body, legs and arms, making almost an entire mass of sores. One of the places was as large as a quart bucket. I was in this condition for five months and eleven days. * * * From my normal weight of 110 pounds I went down to 72 pounds during the five months' bed-sickness. * * * Within ten days after beginning with your Emulsion I was out of bed, greatly improved and the boils began to disappear

and to get better, one by one, and within four months, I was completely well of them. I have taken sixty-two bottles of Emulsion and know that your medicine has saved my life, * * * 'I was pronounced a victim of tuberculosis. I took tuberculosis treatments and finally resorted to two operations. I was then told there was no cure for me. In Feb., 1913, I started on Milks Emulsion, took thirteen bottles, gained seven pounds in three weeks. I am now absolutely well, weight 162 pounds and feel that I am a living proof that Milks Emulsion will cure tuberculosis if taken in time. * * * ' * * * the best remedy in the world for lung trouble and catarrh of the stomach and bowels. * * * ' * * * I can say that if it had not been for Milks Emulsion, I would have been dead now. * * * My neighbors told me of your medicine curing two other people of tuberculosis, same as I had. So I quit the doctors and went to using Milks Emulsion. When I had used two bottles, I began to eat better. I kept on using it and now I feel like a new woman. I have gained 20½ pounds in using eight bottles. * * * ' * * * I highly recommend Milks Emulsion to anyone having lung trouble. * * * ' * * * I have had lung trouble for four years and have never gotten hold of anything that did me any good until Mr. George Caps, my druggist, persuaded me to try Milks Emulsion. The first bottle gave me great relief and by the time I had taken five bottles I was greatly improved. The doctors had said my case was incurable but they didn't know what a life saver Milks Emulsion was going to be in my case. I have taken about twenty bottles of your Emulsion and am glad to say I am in as good health as I ever was in my life. * * * ' * * * It becomes my privilege and pleasure to advise you that the writer has been for more than twelve years a semi-invalid by virtue of having contracted tuberculosis in his hip joint. * * * The writer can truthfully say that your Emulsion has been a Godsend to him, and he most heartily recommends its extensive use to anyone in the grasp of the Great White Plague in any of its various forms. * * * ' * * * I had consumption * * * Finally a friend advised me to take Milks Emulsion, saying he had been cured. I managed to get to the Milks Emulsion office where my case was considered hopeless. They regretted that I had not come earlier, but started me using Milks Emulsion and by the time I had used two bottles I noticed a decided improvement. * * * I have now taken 23 bottles and am happier than words can tell to think I have again regained my health and have a new lease on life. * * * Milks Emulsion is a positive cure for consumption. * * * I urge everyone with weak lungs or consumption to use Milks Emulsion, the world's only cure for consumption. * * * ' * * * I want to let every one know how Milks Emulsion saved my life * * * My folks called in one of the best physicians in Terre Haute, who examined my lungs and said my right lung was in very bad shape. He told my mother that he could not save me as my lungs were too far gone. * * * I commenced to take Milks Emulsion * * * My health is now fine and I feel so happy, I am sure nothing in this world but Milks Emulsion would ever have saved my life and I shall always feel that I owe my life to you. * * * I hope every consumptive who reads this letter will commence on Milks Emulsion without a minute's loss of time. * * * ' * * * Our little five-year-old daughter, Luella, had the measles and they settled in her bronchial tubes, and she had such a cough we could not sleep at night. My wife is confident she had consumption * * * I had seen your Milks Emulsion advertised and concluded to try it and we have done so with the very best results. I am glad to say that she is cured and we can not say too much in favor of your wonderful remedy for it saved our child's life. * * * ' * * * I have had

lung trouble for nine years and after trying nearly every doctor in Evansville and taking everything I heard of, I started on your Milks Emulsion, and while it may seem strange I will just say I have taken six bottles and it has cured me sound as a dollar. * * * ' * * * I had tuberculosis of the lungs * * * purchased a bottle of Milks Emulsion, which helped me so much that I have since taken ten bottles. When I started to take your remedy I was in bed and weighed only 119 pounds. Now I weigh 140 pounds and believe I am completely cured. * * * ' * * * cured me entirely of a very bad case of lung trouble and asthma. * * * ' * * * Consumption runs in our family. * * * I knew I would have it and worried all the time. In 1909 I had a hemorrhage of the lungs and would have one every winter. Last year I had one in the spring, and in the summer two more. They gradually grew more frequent, until I had two within three days. For nine months I had a terrible cough, which was growing worse all the time, until I couldn't sleep at night. * * * With the first bottle of Milks Emulsion I got back a splendid appetite. After taking two bottles my cough almost left me. * * * Now I do my washing and ironing and all my housework and enjoy it. I feel twenty years younger, and O God, I am so happy and feel now like God has given me my health through Milks Emulsion. I am always anxious to tell everybody about it and wish for the sake of poor tubercular sufferers that your medicine could be put in all tubercular hospitals, where I am sure all could be cured. * * * ' * * * For about one year I doctored continually with several good doctors, spending hundreds of dollars in what seemed a vain attempt to save my life from consumption. * * * You held out hope for me and started me on Milks Emulsion. The second bottle seemed to do me a great deal of good. * * * In less than three months time I was completely restored to health * * * I advise every one that I see suffering from either lung or stomach trouble to use it, as I know it will cure them. Only those who have given up as incurable with consumption can appreciate how I feel after being fully restored to health. * * * ' * * * I had consumption * * * Finally, a lady friend of my wife's gave me a bottle of Milks Emulsion, which I used and it seemed to do me so much good that I continued taking Milks Emulsion for four months, when it finally cured me sound as a dollar. * * * 'Bronchial Asthma Can be Cured. * * * Milks Emulsion and deep breathing exercises will, in our opinion, do more for asthma than all other asthma cures combined. * * * 'My son, Roscoe, has had asthma since he was three years old. Whooping cough left him with this trouble. He is now 16 years old and is very grateful to you for his speedy recovery. * * * 'Asthma Cured 'Do you know I have not had a symptom of asthma since I took a few bottles of Milks Emulsion. I had suffered with asthma for over 20 years and had taken a number of other medicines which only relieved me for a short time. I can and do recommend Milks Emulsion as a sure cure. * * * ' * * * There is no need of going west for asthma. Eat plenty of Milks Emulsion and I, myself, will guarantee a cure, as I have done for myself * * * ' * * * I have taken ten bottles of your Milks Emulsion for asthma. I find that it has cured me completely * * * 'Stomach Trouble In Its Various Forms * * * Stomach trouble, as understood by the laity covers acute and chronic dyspepsia, indigestion, gastritis, chronic gastric catarrh, chronic nervous dyspepsia, ulcer of the stomach, cancer of the stomach, syphilis of the stomach, and tumors of the stomach. We mention cancer, syphilis and tumors of the stomach under the head of stomach trouble simply to show you the possibilities under this term, which can only be determined by a thorough examination made by a competent physician, under whose

care you should place yourself should it be found that your trouble arises from either of these causes. * * * gastritis * * * Thousands of people have reported to us that they have found relief in the use of Milks Emulsion for various forms of stomach trouble, almost from the first dose, notwithstanding the fact that they had been afflicted for years and that everything they ate distressed them. * * * Milks Emulsion will build up the system, improve the appetite, enrich the blood and strengthen the organs of the throat and lungs, which are only too often the cause of croupy, sick and puny children. Mothers endorse Milks Emulsion because it strengthens and builds up their children as nothing else has ever done, rendering them less liable to contract many of the contagious diseases so rife among children. * * * Remember, you take no chances. Milks Emulsion is an absolute preventive for spasmodic croup."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted of approximately 95 per cent of petrolatum, with small amounts of sirup, glycerin, and essential oils, including oil of lemon and methyl salicylate.

Misbranding of the article was alleged in the libel for the reason that the statement, "Milks Emulsion contains a great amount of fat," in the booklet accompanying the article, was false and misleading in that the article contained no fat. Misbranding of the article was alleged for the further reason that it was not capable of producing the therapeutic and curative effects claimed for it on the labels of the bottles containing, on the cartons enclosing, and in the booklets and circulars accompanying the article, as above set forth, which said statements were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On October 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

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United States Department of Agriculture.

BUREAU OF CHEMISTRY,

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 7601-7650.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., October 9, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

7601. Misbranding of Halz Injection. U. S. * * * v. 18 Bottles \$1 Size and 18 Bottles 50c Size of Halz Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11410, 11411. I. S. Nos. 8069-r, 8064-r. S. Nos. C-1503, C-1504.)

On October 1, 1919, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 bottles \$1 size, and 18 bottles 50¢ size of Halz Injection, at Omaha, Neb., alleging that the article had been shipped on or about August 21, 1919, and on or about May 24, 1917, by the Ed. Price Chemical Co., Kansas City, Mo., and transported from the State of Missouri into the State of Nebraska, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Halz * * * For Gonorrhœa and Gleet, Whites and Leucorrhœa, and unnatural discharges either sex * * *. It has never been known to cause stricture and it generally cures in from one to five days * * *. The first injection relieves almost instantly and the continued use has cured bad cases in a few days * * *. Halz for Gonorrhœa and Gleet * * *. We have so proportioned and combined the ingredients both chemically and medicinally that we get quick results * * *."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of a solution of boric acid, zinc sulphate, and small amounts of alum and formaldehyde in glycerin and water.

Misbranding of the article was alleged in the libel for the reason that the statements borne on the labels on the bottles containing, and on the cartons enclosing the article, regarding its therapeutic effects, as above set forth, were false, fraudulent, and misleading in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 8, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7602. Misbranding of Capitol Hog Remedy. U. S. * * * v. 20 Packages of Capitol Hog Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11415. I. S. No. 15549-r. S. No. E-1785.)

On October 11, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 packages of Capitol Hog Remedy, consigned on March 11, 1919, remaining unsold in the original unbroken packages at Charlotte Hall, Md., alleging that the article had been shipped by the Capitol Food Co., Tiffin, Ohio, and transported from the State of Ohio into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Capitol Hog Remedy A superior concentrated remedy for swine. Recommended for Hog Cholera * * * Inflammatory and all Contagious Diseases peculiar to Swine; purifies the blood; expels worms * * * prepares Pigs for the market in a very short time. Capitol Hog Remedy Recommended to cure and prevent diseases, produces an extraordinary rapid growth and prepares Pigs for the market in a much shorter time. Recommended to cure and prevent Hog Cholera and all contagious diseases peculiar to Swine; expels worms, and restores Hogs to a good healthy condition * * * It will cost you thirty-six cents to feed Capitol Hog Remedy to one hog regularly for three months, thus insuring no loss whatever from cholera or any other disease and placing your hogs upon the market with but very little expense. For Fattening Hogs.—Give one tablespoonful to two or three Hogs or Shoats twice per day. This will keep them free from disease and prepare them for the market in a very short time. * * * For Hog Cholera.—* * * Give from two to three tablespoonfuls of Capitol Hog Remedy three times a day for each hog. * * * If already diseased increase at once to three and even four tablespoonfuls three times per day for each Hog * * * Special care and attention should be exercised in order to procure the best results. Capitol Hog Remedy A highly concentrated remedy for Swine * * * an invaluable remedy for Hog Cholera * * * Inflammatory conditions and all contagious diseases peculiar to Swine * * * expels worms, keeps the hogs healthy * * * Capitol Hog Remedy insures health and a very rapid growth, prepares pigs for the market in a much shorter time. Capitol Hog Remedy Hogs require entirely distinct compound from other domestic animals. Is it reasonable to believe that an ordinary stock remedy will cure and prevent your hogs from cholera * * * ?"

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of powdered plant material, charcoal, sodium chlorid and sulphate, small amounts of sodium carbonate, sulphate of iron, nux vomica, and quassia.

Misbranding of the article was alleged for the reason that the statements appearing on the labels on the packages containing the article, regarding the curative and therapeutic effects thereof, as above set forth, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On December 8, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7603. Misbranding of Capitol Hog Remedy. U. S. * * * v. 17 Packages and 9 Packages of Capitol Hog Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11416. I. S. Nos. 15328-r, 15329-r. S. No. E-1786.)

On October 11, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 25-cent packages and 9 75-cent packages of Capitol Hog Remedy, consigned on March 19, 1919, remaining unsold in the original unbroken packages at Scotland, Md., alleging that the article had been shipped by the Capitol Food Co., Tiffin, Ohio, and transported from the State of Ohio into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Capitol Hog Remedy A superior concentrated remedy for swine. Recommended for Hog Cholera * * * Inflammatory and all Contagious Diseases peculiar to Swine; purifies the blood; expels worms * * * prepares Pigs for the market in a very short time. Capitol Hog Remedy Recommended to cure and prevent diseases, produces an extraordinary rapid growth and prepares Pigs for the market in a much shorter time. Recommended to cure and prevent Hog Cholera and all contagious diseases peculiar to Swine; expels worms, and restores Hogs to a good healthy condition. * * * It will cost you thirty-six cents to feed Capitol Hog Remedy to one hog regularly for three months, thus insuring no loss whatever from cholera or any other disease and placing your hogs upon the market with but very little expense. For Fattening Hogs.—Give one tablespoonful to two or three Hogs or Shoats twice per day. This will keep them free from disease and prepare them for the market in a very short time. * * * For Hog Cholera.—* * * Give from two to three tablespoonfuls of Capitol Hog Remedy three times a day for each hog. * * * If already diseased increase at once to three and even four tablespoonfuls three times per day for each Hog * * *. Special care and attention should be exercised in order to procure the best results. Capitol Hog Remedy A highly concentrated remedy for Swine * * * an invaluable remedy for Hog Cholera * * * Inflammatory conditions and all contagious diseases peculiar to swine. * * * expels worms, keeps the Hogs healthy * * * Capitol Hog Remedy insures health and a very rapid growth, prepares pigs for the market in a much shorter time. Capitol Hog Remedy Hogs require entirely distinct compound from other domestic animals. Is it reasonable to believe that an ordinary stock remedy will cure and prevent your hogs from cholera * * *?"

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of powdered plant material, charcoal, sodium chlorid and sulphate, small amounts of sodium carbonate, sulphate of iron, nux vomica, and quassia.

Misbranding of the article was alleged for the reason that the statements appearing on the labels of the bottles containing the article, regarding the curative and therapeutic effects thereof, as above set forth, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On December 8, 1918, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7604. Adulteration of eggs. U. S. * * * v. 18 Cases of Eggs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11445. I. S. No. 2097-r. S. No. W-498.)

On September 19, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 cases of eggs, consigned by Frank Dorn, Big Springs, Neb., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about September 14, 1919, and transported from the State of Nebraska into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, to wit, of decomposed and rotten eggs, and was unfit for food.

On November 4, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7605. Adulteration of eggs. U. S. * * * v. 17 Cases of Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11451. I. S. No. 2539-r. S. No. W-473.)

On August 27, 1919, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 cases, each containing 30 dozen of eggs, consigned by B. W. Hayden, Benkelman, Neb., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about August 20, 1919, and transported from the State of Nebraska into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, decomposed and rotten eggs, and was unfit for food.

On November 4, 1919, George L. Reed, Denver, Colo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7606. Adulteration and misbranding of unsweetened evaporated milk. U. S. * * * v. H. P. Hood & Sons, a corporation. Plea of nolo contendere. Fine, \$200. (F. & D. No. 9657. I. S. Nos. 13614-r, 14807-r.)

On July 30, 1919, the United States attorney for the District of Vermont, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against H. P. Hood & Sons, a corporation, doing business at St. Albans, Vt., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 4, 1918, and June 11, 1918, from the State of Vermont into the States of New York and Pennsylvania, of quantities of an article, labeled in part "Nutfield Brand Unsweetened Evaporated Milk," which was adulterated and misbranded.

Analyses of samples of the article made in the Bureau of Chemistry of this department showed it to be insufficiently evaporated.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, a partially evaporated milk, had been mixed and packed therewith so as to lower and reduce and injuriously affect

its quality and strength, and had been substituted in whole or in part for evaporated milk, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Evaporated Milk," borne on the labels attached to the cans containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted wholly of evaporated milk, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of evaporated milk, whereas, in truth and in fact, it did not so consist, but consisted in whole or in part of partially evaporated milk, and for the further reason that it was a mixture composed in whole or in part of partially evaporated milk prepared in imitation of evaporated milk, and was offered for sale and sold under the distinctive name of another article, to wit, evaporated milk.

On December 17, 1919, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$200.

E. D. BALL, *Acting Secretary of Agriculture.*

7607. Adulteration of oysters. U. S. * * * v. F. F. East & Co., a corporation. Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 11350. I. S. Nos. 13388-r, 13687-r.)

On January 26, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against F. F. East & Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 1, 1919, and January 20, 1919, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated.

Analyses of samples of the article made in the Bureau of Chemistry of this department showed the following results:

	Shipment of Feb. 1.	Shipment of Jan. 20.
Solids in meat (per cent)-----	14.6	15.1
Solids in sample as received (per cent)-----	12.5	12.5
Loss on boiling (per cent)-----	50.0	53.5

Results show oysters had been soaked with water.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On January 26, 1920, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7608. Misbranding of cottonseed meal. U. S. * * * v. Planters Cotton Oil Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 11353. I. S. Nos. 19423-p, 19424-p.)

On December 15, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Planters Cotton Oil Co., a corporation, Pine Bluff, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 31, 1918, from the State of Arkansas into the State of Kansas, of a quantity of an article, invoiced as cottonseed meal, which was misbranded.

Examination of the sacks comprising the aforesaid shipment by a representative of the Bureau of Chemistry of this department showed that none of the sacks bore a statement of the net weight of the contents.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On January 7, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7609. Adulteration of oysters. U. S. * * * v. Storey-Bunnell Packing Co., a corporation. Plea of nolo contendere. Fine, \$5 and costs. (F. & D. No. 11351. I. S. No. 13694-r.)

On January 27, 1920, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Storey-Bunnell Packing Co., a corporation, Baltimore, Md., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 21, 1919, from the State of Maryland into the State of Pennsylvania, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Per cent.
Solids in meat-----	13.47
Solids in sample as received-----	11.53
Loss on boiling-----	57.6

Results show the oysters had been soaked with water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On January 27, 1920, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$5 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7610. Misbranding of kidney pills. U. S. * * * v. 250 Packages of Kidney Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 460-c.)

On March 26, 1919, the United States attorney for the District of Massachusetts filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 1 case, containing 250 packages of kidney pills, remaining unsold in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped by Edwin S. McFields, otherwise known as Roger North, Hartford, Conn., and transported from the State of Connecticut into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act.

Misbranding of the pills was alleged in the libel of information for the reason that they were labeled as certain kidney pills, which said label was false and misleading in that they were not pills of the make they purported to be, but an imitation thereof.

On June 11, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7611. Adulteration of milk, U. S. * * * v. Frank C. Ott. Collateral of \$15 forfeited. (F. & D. No. 501-c.)

On August 18, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Frank C. Ott, Remington, Va., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on July 30, 1918, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed with and contained a substance, to wit, water, which reduced and lowered its quality and strength.

On August 18, 1919, the defendant having failed to appear, the \$15 collateral that had theretofore been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

7612. Adulteration of milk, U. S. * * * v. Regnald J. Darby. Collateral of \$25 forfeited. (F. & D. No. 502-c.)

On August 26, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Regnald J. Darby, Buck Lodge, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on July 26, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain valuable constituent thereof, to wit, butter fat, had been wholly and in part abstracted therefrom.

On August 26, 1919, the defendant having failed to appear, the \$25 collateral that had been theretofore deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

7613. Adulteration of bacon, U. S. * * * v. Joseph L. Wagman. Collateral of \$50 forfeited. (F. & D. No. 503-c.)

On August 26, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Joseph L. Wagman, Washington, D. C., alleging that said defendant did offer for sale and sell at the District aforesaid, in violation of the Food and Drugs Act, on August 16, 1919, a quantity of bacon which was adulterated.

Adulteration of the article was alleged in the information for the reason that it consisted in whole and in part of a filthy, decomposed, and putrid animal and vegetable substance.

On August 26, 1919, the defendant having failed to appear, the \$50 collateral that had theretofore been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

7614. Adulteration of corned beef, U. S. * * * v. Alphensa Wheelock. Plea of guilty. Fine, \$50. (F. & D. No. 504-c.)

On August 19, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Alphensa Wheelock, Washington, D. C., alleging that said defendant did offer for sale and sell, in

violation of the Food and Drugs Act, on August 4, 1919, at the District aforesaid, a quantity of corned beef which was adulterated.

Adulteration of the article was alleged in the information for the reason that it consisted in whole and in part of a filthy, decomposed, and putrid animal and vegetable substance.

On August 19, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

7615. Adulteration of milk. U. S. * * * v. Roberta L. Lynn. Collateral of \$5 forfeited. (F. & D. No. 505-c.)

On August 19, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Roberta L. Lynn, Bristol, Va., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on July 19, 1919, from the State of Virginia into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed with and contained a substance, to wit, water, which reduced and lowered its quality and strength.

On August 19, 1919, the defendant having failed to appear, the \$5 collateral that had theretofore been deposited by her to insure her appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

7616. Adulteration of milk. U. S. * * * v. George C. Thomas. Collateral of \$25 forfeited. (F. & D. No. 506-c.)

On August 19, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against George C. Thomas, Adamstown, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on July 9, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed with and contained a substance, to wit, water, which reduced and lowered its quality and strength.

On August 19, 1919, the defendant having failed to appear, the \$25 collateral that had theretofore been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

7617. Adulteration of milk. U. S. * * * v. Ralph G. Thomas. Collateral of \$25 forfeited. (F. & D. No. 507-c.)

On August 19, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Ralph G. Thomas, Tuscarora, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on July 24, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it had been mixed with and contained a substance, to wit, water, which reduced and lowered its quality and strength.

On August 19, 1919, the defendant having failed to appear, the \$25 collateral that had theretofore been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

7618. Adulteration of milk. U. S. * * * v. Winfield E. Overton. Collateral of \$100 forfeited. (F. & D. No. 508-c.)

On August 19, 1919, the United States attorney for the District of Columbia, acting upon a report by the Health Officer of said District, filed in the Police Court of the District aforesaid an information against Winfield E. Overton, Colesville, Md., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on August 13, 1919, from the State of Maryland into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On August 19, 1919, the defendant having failed to appear, the \$100 collateral that had theretofore been deposited by him to insure his appearance was ordered forfeited by the court.

E. D. BALL, *Acting Secretary of Agriculture.*

7619. Adulteration of cottonseed meal. U. S. * * * v. 600 Sacks of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 510-c.)

On April 30, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the director of the Massachusetts Agricultural Experiment Station, Amherst, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 600 sacks of cottonseed meal, remaining unsold in the original unbroken packages at Waltham, Mass., alleging that the article had been shipped by E. Crosby & Co., Brattleboro, Vt., and transported from the State of Vermont into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained a substance low in protein which had been substituted wholly or in part for the article, and for the further reason that a substance low in protein had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength.

On June 10, 1919, Lyle & Lyle, Huntsville, Ala., claimants, having consented to a decree, and filed a good and sufficient bond in conformity with section 10 of the act, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and upon labeling the product, "Protein 32% Cottonseed Meal with Added Hulls."

E. D. BALL, *Acting Secretary of Agriculture.*

7620. Adulteration of Molletts B Feed Meal White and Molletts B Feed Meal Yellow. U. S. * * * v. 200 Bags of Molletts B Feed Meal White and 400 Bags of Molletts B Feed Meal Yellow. Consent decrees of condemnation and forfeiture. Products ordered released on bond. (F. & D. No. 509-c.)

On or about July 12, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Dairy and Food Commissioner of the State of Virginia, filed in the District Court of the United States for said

district libels praying the seizure and condemnation of 200 bags of Molletts B Feed Meal White and 400 bags of Molletts B Feed Meal Yellow, remaining unsold in the original unbroken packages at Newport News, Va., alleging that the articles had been shipped on or about October 3, 1918, by the Lake Erie Milling Co., Toledo, Ohio, and transported from the State of Ohio into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article in each case was alleged in the libels for the reason that a certain substance, to wit, ground corn cob, had been mixed and packed therewith so as to reduce or lower or injuriously affect its quality or strength, and had been substituted wholly or in part for the article.

On or about August 6, 1919, the said Lake Erie Milling Co., claimant, having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$3,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7621. Misbranding of Estrellita Brand Pure Refined Vegetable Oil Compounded with Pure Olive Oil. U. S. * * * v. Massolo Oil Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 11345. I. S. No. 16242-r.)

On February 19, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Massolo Oil Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on September 21, 1918, from the State of New York into the State of Florida, of a quantity of an article, labeled in part "Estrellita Brand Pure Refined Vegetable Oil Compounded with Pure Olive Oil for Salad and Cooking," which was misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the product to consist largely of cottonseed and peanut oils and to be short volume.

Misbranding of the article was alleged in the information for the reason that the statements borne on the label, to wit, "Vegetable Oil Compounded with Pure Olive Oil" and "One Gallon Net," were false and misleading in that they represented to purchasers of the article that same was compounded with olive oil in an appreciable proportion, and that each can contained not less than 1 gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that it was compounded with olive oil in an appreciable proportion, and that each can thereof contained not less than 1 gallon of the article, whereas, in fact and in truth, it was not compounded with an appreciable proportion of olive oil, and each can did not contain 1 gallon thereof. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents thereof was not marked on the outside of the package in terms of weight, measure, or numerical count.

On March 10, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

**7622. Adulteration and misbranding of Standard Milk Meal. U. S. * * *
v. Standard Chemical Mfg. Co., a corporation. Plea of guilty.
Fine, \$10. (F. & D. No. 11220. I. S. No. 10683-r.)**

On January 31, 1920, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Standard Chemical Mfg. Co., a corporation, Omaha, Neb., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 21, 1918, from the State of Nebraska into the State of Indiana, of a quantity of an article, labeled in part "Standard Milk Meal * * * Protein 28% Fiber 4% * * * Composed of Powdered Milk, Linseed Oil Meal, Oat Meal, Dried Blood, Bone Meal, Corn Germ Meal, Fenugreek Seed, Anise Seed, Gentian Root, Powdered Chalk, Salt, St. Johns Bread Manufactured by Standard Chemical Mfg. Co., Omaha, Neb. U. S. A. * * *," which was adulterated and misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the following results:

	Per cent.
Crude fiber -----	15.01
Nitrogen -----	2.7
Protein -----	16.9

Microscopical examination showed the presence of a considerable amount of peanut shells and of cottonseed meal. No St. Johns bread and anise seed were found.

Adulteration of the article was alleged in the information for the reason that substances, to wit, cottonseed meal and peanut shells, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for milk meal, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Protein 28% * * * Fiber 4%," "Anise Seed," "St. Johns Bread," and "Not less than 28.0 per cent of crude protein," borne on the tags attached to the sacks containing the article and printed on the sacks aforesaid, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 28 per cent of crude protein, and not more than 4 per cent of crude fiber, that is to say, fiber 4 per cent, and that it contained anise seed and St. Johns bread, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 28 per cent of crude protein and not more than 4 per cent of crude fiber, that is to say fiber 4 per cent, and that it contained anise seed and St. Johns bread, whereas, in truth and in fact, it contained less than 28 per cent of crude protein and more than 4 per cent of fiber and did not contain anise seed or St. Johns bread, and for the further reason that it was a mixture of cottonseed meal and peanut shells, and was offered for sale under the distinctive name of another article, to wit, milk meal, compounded from ingredients stated on the label.

On March 9, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

7623. Misbranding of Badger Hominy Feed. U. S. * * * v. Charles A. Krause Milling Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 11211. I. S. Nos. 10715-r, 10694-r.)

On November 12, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles A. Krause Milling Co., a corporation, Milwaukee, Wis., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 17, 1918, and January 20, 1919, from the State of Wisconsin into the State of Indiana, of a quantity of an article, labeled in part "Badger Hominy Feed," which was misbranded.

Analyses of samples of the article made in the Bureau of Chemistry of this department showed the following results:

	Shipment of Jan. 20.	Shipment of Dec. 17.
Ether extract (crude fat) (per cent)-----	3.64	3.42
Crude protein (per cent)-----	9.37	9.31

Misbranding of the article was alleged in the information for the reason that the statements appearing on the labels, to wit, "Protein 10% Fat 6%," "6.0 per cent of crude fat, 10.0 per cent of crude protein," were false and misleading in that they represented to purchasers thereof that the article contained not less than 10 per cent of crude protein and not less than 6 per cent of crude fat, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 10 per cent of protein, and not less than 6 per cent of fat, whereas, in fact and in truth, it contained less than 10 per cent of protein and less than 6 per cent of fat.

On February 17, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

7624. Misbranding of Bigler Anti-Hog Cholera Tonic. U. S. * * * v. G. R. Bigler Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 11210. I. S. No. 7488-r.)

On December 16, 1919, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against G. R. Bigler Co., a corporation, Springfield, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about December 3, 1918, from the State of Illinois into the State of Missouri, of a quantity of an article, labeled in part "Bigler Anti-Hog Cholera Tonic," which was misbranded.

Analyses of a sample made in the Bureau of Chemistry of this department showed that the article consisted essentially of carbonate, oxid and hydroxid of calcium, oxid of iron, and sulphur.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the labels of the cartons falsely and fraudulently represented it as a treatment, remedy, and cure for hog cholera, when, in truth and in fact, it was not.

On January 27, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7625. Misbranding of cottonseed meal. U. S. * * * v. Union Seed & Fertilizer Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 8554. I. S. Nos. 19952-m, 19953-m.)

On July 27, 1918, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Seed & Fertilizer Co., a corporation, doing business at England, Ark., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 24, 1916, and October 7, 1916, from the State of Arkansas into the State of Michigan, of quantities of an article, labeled in part "Number 7 Feed Meal Composed of Cottonseed Meal & Cottonseed Hulls" and "American Red Tag Cottonseed Meal," which was adulterated.

Analyses of samples of the article made in the Bureau of Chemistry of this department showed the following results:

	Shipment of Oct. 7.	Shipment of Oct. 24.
Crude fiber (per cent)-----	15.49	17.2
Crude protein (per cent)-----	35.13	34.4
Nitrogen (per cent)-----	5.62	
Ammonia (per cent)-----	6.83	
Ether extract (crude fat) (per cent)-----	5.50	

Misbranding of the article in the shipment on October 24, 1916, was alleged in the information for the reason that the statement, to wit, "Protein not less than 36.00 per cent, fiber not more than 14.00 per cent," borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 36 per cent of protein and not more than 14 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 36 per cent of protein and not more than 14 per cent of fiber, whereas, in truth and in fact, it contained less than 36 per cent of protein and more than 14 per cent of fiber, to wit, approximately 34.4 per cent of protein and approximately 17.2 per cent of fiber.

Misbranding of the article in the other shipment was alleged for the reason that the statement, to wit, "Ammonia not less than 7.50 per cent, nitrogen not less than 6.17 per cent, protein not less than 38.55 per cent, crude fat not less than 7.00 per cent, crude fiber not more than 11.50 per cent," borne on the tags attached to the sacks, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 7.50 per cent of ammonia, not less than 6.17 per cent of nitrogen, not less than 38.55 per cent of protein, and not less than 7.00 per cent of crude fat, and not more than 11.50 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 7.50 per cent of ammonia, not less than 6.17 per cent of nitrogen, not less than 38.55 per cent of protein, and not less than 7.00 per cent of crude fat and contained not more than 11.50 per cent of crude fiber, whereas, in truth and in fact, it contained less ammonia, nitrogen, protein, and more crude fat than was declared on the label, to wit, approximately 6.83 per cent of ammonia, approximately 5.62 per cent of nitrogen, approximately 35.13 per cent of protein, 5.50 per cent of crude fat, and 15.49 per cent of crude fiber.

On July 28, 1918, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7626. Adulteration of tomato paste. U. S. * * * v. Central Canning Co., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 9790. I. S. Nos. 8741-p, 8742-p, 8743-p.)

On May 5, 1919, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Central Canning Co., a corporation, New Orleans, La., alleging the sale by said company, on or about October 20, 1917, October 21, 1917, and November 11, 1917, in violation of the Food and Drugs Act, under a guaranty that the article was not adulterated or misbranded within the meaning of said act, of quantities of tomato paste which was adulterated within the meaning of the said act, and which said article, in the identical condition in which it was received, was shipped by the purchaser thereof on or about October 20, 1917, October 21, 1917, and November 11, 1917, from the State of Louisiana into the State of Alabama, in further violation of the said act. The article was labeled in part, "Cowboy Brand Tomato Paste," "Life Buoy Brand Tomato Paste," and "Eagle Brand Tomato Paste."

Examination of samples of the article by the Bureau of Chemistry of this department showed it to be decomposed.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On May 10, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

E. D. BALL, *Acting Secretary of Agriculture.*

7627. Misbranding of La Sanadora. U. S. * * * v. Felipe B. Romero (Romero Drug Co.). Plea of nolo contendere. Fine, \$50. (F. & D. No. 8980. I. S. No. 22456-m.)

On November 21, 1918, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Felipe B. Romero, trading as Romero Drug Co., El Paso, Tex., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about May 29, 1917, from the State of Texas into the State of California, of a quantity of an article, labeled in part "La Sanadora," which was misbranded.

Analysis of a sample made in the Bureau of Chemistry of this department showed that the article consisted essentially of a hydro-alcoholic solution of opium, containing a small amount of caffeine, ammonia, and capsicum, and flavored with oil of peppermint.

It was alleged in substance in the information that the article was misbranded for the reason that certain statements appearing on the labels of the bottles containing, and on the cartons enclosing the article, regarding the article, falsely and fraudulently represented it as a remedy, treatment, and cure for rheumatism, sprains, sore throat, coughs, colds, pustules, contraction of the tendons and muscles, stiffness of the joints, pain in the back and chest, lumbago, inflammation of the kidneys, neuralgia, fissured breasts, burns, earache, catarrh, fevers, chills, colic, cholera, piles, all painful afflictions, and itch, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements regarding the article, in the circular accompanying the article, falsely and fraudulently represented it as a remedy, treatment, and cure for itch, bronchitis, dysentery, croup, wounds, diphtheria, malaria, scalds, tonsillitis, la grippe, indigestion, sour stomach, dyspepsia, sciatica, whooping cough, painful disorders of women, retention of

urine, felons, wetting the bed, muscular rheumatism, diseases of the skin, abscesses, ulcers, cavities with pus, after-pains, vomiting, and white flooding or white flowers, when, in truth and in fact, it was not.

On December 15, 1919, the defendant entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

7628. Adulteration and misbranding of olive oil. U. S. * * * v. Gabriel Carbateas and Nicholas S. Monahos (N. S. Monahos). Plea of guilty. Fine, \$75. F. & D. No. 9866. I. S. Nos. 12519-r, 12353-r, 13669-r, 15615-r, 15616-r, 16015-r, 16016-r.)

On January 3, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Gabriel Carbateas and Nicholas S. Monahos, a partnership doing business as N. S. Monahos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about June 10, 1918, July 13, 1918, August 10, 1918, August 22, 1918, July 3, 1918, and August 6, 1918, from the State of New York into the States of Ohio, Massachusetts, and Florida, and into the District of Columbia, of a quantity of olive oil which was adulterated and misbranded. The article was labeled in part, "Olio Sopraffino Olivola * * * Packed by NSM New York," "Finest Quality Table Oil Insuperabile Termini Imerese," and "Francescani Brand."

Analyses of samples of the article made in the Bureau of Chemistry of this department showed it to consist of cottonseed oil and to be short volume.

Adulteration of the article in each shipment, except the Francescani brand, in the shipment of August 22, 1918, was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article labeled in part, "Olivola Olive Oil" and "Termini Imerese Olive Oil," in the shipments on June 10, 1918, August 22, 1918, July 13, 1918, August 6, 1918, and August 10, 1918, was alleged for the reason that the statements, to wit, "Olio Sopraffino Olivola," "Net Contents $\frac{1}{2}$ Gallon" or "1 Gallon" or " $\frac{1}{4}$ Gallon," not corrected by the statement "Winterpressed cottonseed salad oil flavored slightly with pure olive oil," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, and that each of said cans contained $\frac{1}{2}$ gallon or 1 gallon or $\frac{1}{4}$ gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was olive oil, and that each of said cans contained $\frac{1}{2}$ gallon or 1 gallon or $\frac{1}{4}$ gallon of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in part of cottonseed oil, and each of said cans did not contain $\frac{1}{2}$ gallon or 1 gallon or $\frac{1}{4}$ gallon of the article, but contained a less amount, and for the further reason that it was a mixture composed in part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil.

Misbranding of the article labeled in part, "Francescani Brand," in the shipment of August 22, 1918, was alleged for the reason that the statements, to wit, "Francescani Brand," together with the designs and devices of a crown and olive branches and "Net Contents $\frac{1}{2}$ Gallon," not corrected by the statement in inconspicuous type "Winterpressed cottonseed salad oil flavored slightly with pure olive oil a compound," borne on the cans containing the article, regarding

it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil and contained $\frac{1}{2}$ gallon of the article, whereas, in truth and in fact, the article was not olive oil, but was a mixture composed in part of cottonseed oil, and each can did not contain $\frac{1}{2}$ gallon of the article, but a less amount. Further misbranding was alleged in that the article was a mixture composed in part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil. Further misbranding was alleged in that it was labeled so as to deceive and mislead the purchaser into the belief that the article was olive oil, and that each can contained $\frac{1}{2}$ gallon net of the article, whereas, in truth and in fact, it was not olive oil, but was a mixture composed in part of cottonseed oil, and each can contained less than $\frac{1}{2}$ gallon. Further misbranding was alleged in that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 17, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.

E. D. BALL, *Acting Secretary of Agriculture.*

7629. Adulteration and misbranding of feed meal. U. S. * * * v. Shellabarger Elevator Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 10771. I. S. No. 10676-r.)

On December 15, 1919, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Shellabarger Elevator, Co., a corporation, Decatur, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 7, 1918, from the State of Illinois into the State of Indiana, of a quantity of an article, labeled in part "Feed Meal," which was adulterated and misbranded.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the following results:

	Per cent.
Ether extract (crude fat)-----	2.62
Crude protein-----	8.69

Article consists principally of a product from yellow and white corn with the addition of what appeared to be ground screenings, consisting of pieces of wheat, oats, kafir, weed seeds, and chaff.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, screenings, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and had been substituted in part for feed meal compounded from corn feed meal, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Not less than 3.0 per cent of crude fat, 9.0 per cent of crude protein" and "Compounded from the following ingredients: Corn Feed Meal," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained not less than 3 per cent of crude fat and 9 per cent of crude protein and was compounded from corn feed meal, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 3 per cent of crude fat and 9 per cent of crude protein and was compounded from corn feed meal, whereas, in truth and in fact, it contained less than 3 per cent of crude fat and less than 9 per cent of crude protein and was not compounded from corn feed meal, but was a mixture consisting of corn feed meal and screenings; and

for the further reason that it was a mixture consisting of corn feed meal and screenings and was offered for sale under the distinctive name of another article, to wit, feed meal compounded from corn feed meal.

On January 19, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

7630. Adulteration and misbranding of olive oil. U. S. * * * v. Giuseppi Crisafulli and Stefano Crisafulli (Crisafulli Bros.). Plea of guilty. Fine, \$100. (F. & D. No. 11035. I. S. Nos. 12708-r, 12716-r, 15267-r.)

On October 15, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Giuseppi Crisafulli and Stefano Crisafulli, trading as Crisafulli Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on September 25, 1918, June 25, 1918, and August 2, 1918, from the State of New York into the States of Massachusetts, Connecticut, and Maryland, of quantities of alleged olive oil which was adulterated and misbranded. The article in the shipments on September 25, and August 2, 1918, was labeled in part, "Finest Quality Table Oil La Migliore Brand Insuperabile Corn Salad Oil Compound with Extra Fine Olive Oil," and in the shipment on June 25, 1918, in part, "Finest Quality Table Oil La Migliore Brand Insuperabile Cotton Salad Oil Compound with Extra Fine Olive Oil."

Analyses of samples of the article made in the Bureau of Chemistry of this department showed that the shipments on August 2, and September 25, consisted of corn oil. In the shipment on June 25, the $\frac{1}{2}$ -gallon cans consisted of corn oil, and the $\frac{1}{4}$ -gallon and 1-gallon cans consisted of corn oil and cottonseed oil, and all of the cans were short volume.

Adulteration of the article in the shipment on September 25, 1918, and August 2, 1918, was alleged in the information for the reason that corn oil had been substituted in part for olive oil, which the article purported to be.

Adulteration of the article in the shipment on June 25, 1918, was alleged for the reason that in a part of said article a certain substance, to wit, corn oil, and in the remainder of said article certain other substances, to wit, cottonseed and corn oil, had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article in the shipment on September 25, 1918, was alleged for the reason that the statement, to wit, "Olive Oil," in conspicuous type, and the statement "Corn Salad Oil" in small and inconspicuous type, together with the designs and devices of an olive tree and olive branch appearing on the label, were false and misleading in that they represented to purchasers that the article was olive oil, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that it was olive oil, whereas, in truth and in fact, it was not olive oil, and for the further reason that it was an imitation of another article, to wit, olive oil, and was offered for sale and sold under the distinctive name of another article.

Misbranding of the article in the shipment on June 25, 1918, was alleged for the reason that the statement appearing on the label in prominent type, to wit, "Extra Fine Olive Oil," and the statement concerning the article appearing on the label in inconspicuous type, to wit, "Cotton salad oil compound," together with the design and device of an olive tree and branch, were false and misleading in that they represented to purchasers that the article was olive oil, and for the further reason that it was labeled as aforesaid so as to deceive and mis-

lead the purchasers into the belief that it was olive oil, whereas, in truth and in fact, it was not; and for the further reason that it was an imitation of another article, to wit, olive oil, and it was offered for sale and sold under the distinctive name of another article; and for the further reason that the statement appearing on the labels of certain of the cans concerning the article, to wit, "Net Contents One Gallon," was false and misleading in that it represented to purchasers that each can of the same so labeled contained not less than 1 gallon of the article, whereas, in fact and in truth, each of said cans so labeled contained less than 1 gallon of the article. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents of the package was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

Misbranding of the article in the shipment on August 2, 1918, was alleged for the reason that it was labeled in conspicuous type "Extra Fine Olive Oil," and in inconspicuous type "Corn salad oil," and bore the design and device of an olive tree and branch so as to deceive and mislead the purchaser into the belief that it was olive oil, and for the further reason that the said statement, design, and device, appearing on the label, were false and misleading in that they represented to purchasers of the article that the same was olive oil, whereas, in fact and in truth, it was not; and for the further reason that it was an imitation of another article, to wit, olive oil, and was offered for sale and sold under the distinctive name of another article.

On November 26, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$100.

E. D. BALL, *Acting Secretary of Agriculture.*

7631. Misbranding of cottonseed meal or screened cottonseed cake. U. S. * * * v. Union Seed & Fertilizer Co., a corporation, and T. O. Branch Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 11215. I. S. Nos. 10691-r, 10692-r.)

On December 15, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Seed and Fertilizer Co., a corporation, and the T. O. Branch Co., a corporation, Little Rock, Ark., alleging shipment by said companies, in violation of the Food and Drugs Act, on or about November 20, 1918, and November 14, 1918, respectively, from the State of Arkansas into the State of Indiana, of quantities of an article, labeled in part "Makfat Brand Cotton Seed Meal and Screened Cotton Seed Cake," which was misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	Shipment of Nov. 20.	Shipment of Nov. 14.
Crude fiber (per cent)-----	13.95	14.95
Nitrogen (per cent)-----	6.20	5.94
Protein (per cent)-----	38.8	37.1

Misbranding of the article was alleged in the information for the reason that the following statements appearing on the label, to wit, "Protein 41% to 43% Crude Fibre not over 10%" or "Not less than 41.0 per cent. of crude protein Not more than 10.0 per cent. of crude fiber," were false and misleading in that they represented to purchasers that the article contained not less than 41 per cent of protein and not more than 10 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and

mislead purchasers into the belief that it contained not less than 41 per cent of protein and not more than 10 per cent of crude fiber, whereas, in fact and in truth, it did contain less than 41 per cent of protein and more than 10 per cent of crude fiber.

On January 8, 1920, a plea of guilty was entered on behalf of the defendant companies, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

7632. Adulteration of olive oil. U. S. * * * v. Lawrence Mercurio (Mercurio & Co.). Plea of guilty to count 1 of the information. Fine, \$25 and costs. Remaining counts of information dismissed. (F. & D. No. 9661. I. S. No. 10009-p.)

On May 16, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lawrence Mercurio, trading as Mercurio & Co., St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 23, 1918, from the State of Missouri into the State of Illinois, of a quantity of an article, labeled in part "Extra Superfine Lucca Olive Oil (Italy) Warranted Pure," which was adulterated.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted of cottonseed oil.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

On November 13, 1919, the defendant entered a plea of guilty to the first count of the information, and the court imposed a fine of \$25 and costs. The remaining counts of the information were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

7633. Adulteration of gelatin. U. S. * * * v. Consumers Glue Co., a corporation. Plea of guilty to count 1 of the information. Fine, \$50 and costs. Remaining counts of information dismissed. (F. & D. No. 9667. I. S. No. 6804-p.)

On October 9, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Consumers Glue Co., a corporation, St. Louis, Mo., alleging shipment by said company, on or about December 12, 1917, from the State of Missouri into the State of Georgia, of a quantity of an article, invoiced as gelatin, which was adulterated.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed the following results:

Copper (Cu) (parts per million)-----	20
Zinc (Zn) (parts per million)-----	409
Arsenic (As) :	Trace.
Odor :	Glue-like.
Appearance of solution :	Dark cloudy.

Product consists partly of glue and contains excessive zinc.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, glue, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and had been substituted in part for gelatin, which the article purported to be. Adulteration was alleged for

the further reason that the article contained an added deleterious ingredient, to wit, zinc, which might render it injurious to health.

On November 17, 1919, the defendant company entered a plea of guilty to the first count of the information, and the court imposed a fine of \$50 and costs. The remaining counts of the information were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

7634. Adulteration and misbranding of olive oil. U. S. * * * v. Anthony J. Musco. Plea of guilty. Fine, \$25. (F. & D. No. 10766. I. S. Nos. 15277-r, 15278-r, 15279-r, 15280-r, 15281-r, 15462-r.)

On January 8, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Anthony J. Musco, New York, N. Y., alleging shipment on December 17, 1918, by said defendant, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Maryland, of quantities of olive oil, so called, variously labeled in part, "San Giuseppe Brand Salad Oil," "Monte Carlo Brand Fine Table Oil," and "Finest Quality Table Oil Termini Imerese Type," the first named of which was misbranded, and the others adulterated and misbranded.

Examination of samples of the article made in the Bureau of Chemistry of this department showed the following results: The San Giuseppe brand consisted mainly of peanut oil, corn oil, and cottonseed oil and was short volume; the Monte Carlo brand consisted mainly of peanut oil, corn oil, and a small amount of cottonseed oil and was short volume; the quart cans of the Termini Imerese type consisted of cottonseed oil and the half-gallon and the gallon cans of peanut oil and cottonseed oil, and the cans of the different sizes were short volume.

Misbranding of the San Giuseppe brand salad oil was alleged in the information for the reason that the statements "Net Contents Half Gallon," "Salad Oil," and "Pure Olive Oil," appearing in conspicuous type on the label, and the statement "Vegetable Oil," appearing thereon in small and inconspicuous type, were false and misleading in that they represented to purchasers that each can contained not less than $\frac{1}{2}$ gallon net of the article, and that said article was olive oil, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that the said can contained not less than $\frac{1}{2}$ gallon net of the article, and that said article was olive oil, whereas, in fact and in truth, each can contained less than $\frac{1}{2}$ gallon thereof, and the article was not olive oil.

Adulteration of the other brands of the product was alleged for the reason that cottonseed oil or a mixture of corn, peanut, and cottonseed oils or a mixture of peanut oil and cottonseed oil had been substituted in part for olive oil, which the article purported to be.

Misbranding of the Monte Carlo brand fine table oil was alleged in substance for the reason that the following statements appearing on the label, to wit, "Monte Carlo Brand," together with the design and device of a Roman scene, olive branches and wreath, and map of Italy, and "Compound of * * * Peanut Oil and Olive Oil," and "Highest Grade of Oil Combining all the Physic and Nutritious Characteristics of Pure Olive Oil," and "Net Contents Half Gallon" or "Net Contents Quarter Gallon," as the case might be, were false and misleading in that they represented to purchasers of the article that it was olive oil and was a foreign product, and that each can contained not less than $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it

was olive oil, that it was a foreign product, and that each can contained not less than $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon of the article, whereas, in fact and in truth, it was not olive oil nor was the same a foreign product, and each can contained less than $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon thereof.

Misbranding of the finest quality table oil Termini Imerese type was alleged in substance for the reason that the following statements appearing on the label in plain and conspicuous type, to wit, "Termini Imerese," and the statement following thereafter in said label in small and inconspicuous type, to wit, "Type," and "Net Contents One Quart" or "Net Contents Half Gallon" or "Net Contents One Gallon," as the case might be, were false and misleading in that they represented to purchasers of the article that the same was olive oil and was a foreign product, and that each can contained not less than 1 quart or $\frac{1}{2}$ gallon or 1 gallon, as the case might be, of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was olive oil, that it was a foreign product and that each of the cans contained not less than 1 quart or $\frac{1}{2}$ gallon or 1 gallon of the article, as the case might be, whereas, in fact and in truth, the article was not olive oil, nor was the same a foreign product, and each of the cans contained less than 1 quart or $\frac{1}{2}$ gallon or 1 gallon of the article.

Misbranding of each brand of oil was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly or conspicuously marked on the outside thereof in terms of weight, measure, or numerical count.

On March 31, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

7635. Misbranding of "Fruit-a-tives." U. S. * * * v. 74 $\frac{1}{2}$ Dozen Packages of * * * "Fruit-a-tives." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11161. I. S. No. 13130-r. S. No. E-1684.)

On September 5, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 74 $\frac{1}{2}$ dozen packages of a product called "Fruit-a-tives," remaining unsold in the original unbroken packages at Boston, Mass., consigned on or about August 2, 1919, alleging that the article had been shipped by Fruitatives, Ltd., Ogdensburg, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of aloin, cascara sagrada, quinine, and strychnine.

Misbranding of the article was alleged in the libel for the reason that the following statements and similar statements on the box label and included in the circular, together with the pictorial device on front of carton showing an apparatus being fed different fruits and discharging tablets, were false and misleading in that they conveyed the impression that "the laxative and healing properties" were due to fruit or fruit extracts, when, in fact, they were not: (Carton, top) "'Fruit-a-tives' 'Fruit Liver Tablets' Compound;" (carton, front panel) "'Fruit-a-tives' 'Fruit Liver Tablets' Compound 'By their fruits ye shall know them;'" (carton, right panel) "Strengthens the Stomach and Liver * * * Stimulates the Kidneys Aids in clearing

the complexion Tends to purify the blood Tones up the nervous system and refreshens the whole system;" (carton, left panel) "The laxative and healing properties of fresh ripe fruit extracted by a special process, enhanced by special tonics * * *. As pleasant to take as sugared fruits * * *;" (carton, back panel) "Composition: 'Fruit-a-tives' is made from a special extract of concentrated and intensified fruit juice * * *;" (carton, bottom) "'Fruit-a-tives' 'Fruit Liver Tablets' Compound is made from the laxative, or liver principle, extracted by a special process from oranges, apples, prunes, and figs—to which tonics are added—and is a reliable remedy for Constipation and Biliousness * * *;" (sticker on cork) "Made from fresh ripe fruit." Misbranding was alleged for the further reason that the following statements, appearing on the carton and box containing the article and in the circular accompanying the same, regarding the curative and therapeutic effects thereof, (carton) "Strengthens the stomach and liver * * * Stimulates the Kidneys Aids in clearing the complexion Tends to purify the blood Tones up the nervous system and refreshens the whole system * * *;" (box) "'Fruitatives' 'Fruit Liver Tablets' Compound * * * Tones and sweetens the stomach, relieves * * * biliousness, torpid liver, recurring headaches, dizziness, backache, sallow complexion * * *;" (circular) "'Fruit-a-tives' is an effective remedy made from the juices of ripe fruits with the addition of tonics—and has a distinctly remedial action on the stomach, liver, bowels, kidneys, skin and nervous system. * * * 'Fruit-a-tives' has, therefore, all the healing powers of large quantities of fruit juice and this is augmented by the action of the tonics contained in the tablets. In chronic constipation, indigestion, sleeplessness, biliousness, kidney irritation, skin diseases, headaches, backaches, pelvic pains, nervous depression and blood impurity—'Fruit-a-tives' is very beneficial and highly recommended. * * * Indigestion or dyspepsia * * * 'Fruit-a-tives' will materially aid in relieving this disease because it tends to purify the blood by acting on the liver, bowels, kidneys and skin. * * * Biliousness * * * 'Fruit-a-tives' will tend to check this complaint quickly as it acts directly on the liver cells * * * the blood is purified; the headache is relieved, and the stomach sweetened. * * * Backache * * * 'Fruit-a-tives' acts in these cases very beneficially * * *. Headaches * * * In this trouble 'Fruit-a-tives' will tend to relieve * * *. Rheumatism * * * The action of 'Fruit-a-tives' will tend to relieve rheumatism * * * 'Fruit-a-tives' should assist very materially in removing the cause on account of its tonic and disinfectant action on the lining membrane of the intestines. In rheumatism take 'Fruit-a-tives' for some considerable time in order to give it a chance to act * * *. Pelvic pains, or pains around the hips and back * * * In these cases * * * It is advisable to use 'Fruit-a-tives' carefully * * *. Skin disease * * * In these cases 'Fruit-a-tives' will assist very materially in bringing relief * * *. Catarrh * * * In these cases use 'Fruit-a-tives' carefully * * * it is best to use 'Fruit-a-tives' * * *," were false and fraudulent, as the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 26, 1919, Brewer & Co., Inc., Worcester, Mass., claimant, having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

7636. Misbranding of 'Fruit-a-tives,' U. S. * * * v. 75 Dozen Packages of * * * 'Fruit-a-tives,' Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11251, I. S. No. 13137-r. S. No. E-1724.)

On September 20, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 75 dozen packages of a product called "Fruit-a-tives," remaining unsold in the original unbroken packages at Boston, Mass., consigned on September 9, 1919, alleging that the article had been shipped by Fruitatives, Ltd., Ogdensburg, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of aloin, cascara sagrada, quinine, and strychnine.

Misbranding of the article was alleged in the libel for the reason that the following statements and similar statements on the box label and included in the circular, together with the pictorial device on front of carton showing an apparatus being fed different fruits and discharging tablets, were false and misleading in that they conveyed the impression that "the laxative and healing properties" were due to fruit or fruit extracts, when, in fact, they were not: (carton, top) "'Fruit-a-tives' 'Fruit Liver Tablets' Compound;" (carton, front panel) "'Fruit-a-tives' 'Fruit Liver Tablets' Compound 'By their fruits ye shall know them;'" (carton, right panel) "Strengthens the Stomach and Liver * * * Stimulates the Kidneys Aids in clearing the complexion Tends to purify the blood Tones up the nervous system and refreshes the whole system;" (carton, left panel) "The laxative and healing properties of fresh ripe fruit extracted by a special process, enhanced by special tonics * * * As pleasant to take as sugared fruits * * *;" (carton, back panel) "Composition: 'Fruit-a-tives' is made from a special extract of concentrated and intensified fruit juice * * *;" (carton, bottom) "'Fruit-a-tives' 'Fruit Liver Tablets' Compound is made from the laxative, or liver principle, extracted by a special process from oranges, apples, prunes, and figs—to which tonics are added—and is a reliable remedy for Constipation and Biliousness * * *;" (sticker on cork) "Made from fresh ripe fruit." Misbranding was alleged for the further reason that the following statements appearing on the carton and box containing the article and in the circular accompanying the same, regarding the curative and therapeutic effects thereof, (carton) "Strengthens the stomach and liver * * * Stimulates the Kidneys Aids in clearing the complexion Tends to purify the blood Tones up the nervous system and refreshes the whole system * * *;" (box) "'Fruitatives' 'Fruit Liver Tablets' Compound * * * Tones and sweetens the stomach, relieves * * * biliousness, torpid liver, recurring headaches, dizziness, backache, sallow complexion * * *;" (circular) "'Fruit-a-tives' is an effective remedy made from the juices of ripe fruits with the addition of tonic—and has a distinctly remedial action on the stomach, liver, bowels, kidneys, skin and nervous system. * * * 'Fruit-a-tives' has, therefore, all the healing powers of large quantities of fruit juice and this is augmented by the action of the tonics contained in the tablets. In chronic constipation, indigestion, sleeplessness, biliousness, kidney irritation, skin diseases, headaches, backaches, pelvic pains, nervous depression and blood impurity—'Fruit-a-tives' is very beneficial and highly recommended. * * * Indigestion or dyspepsia * * * 'Fruit-a-tives' will materially

aid in relieving this disease because it tends to purify the blood by acting on the liver, bowels, kidneys and skin. * * * Billiousness * * * 'Fruit-a-tives' will tend to check this complaint quickly as it acts directly on the liver cells * * * the blood is purified; the headache is relieved, and the stomach sweetened. * * * Backache * * * 'Fruit-a-tives' acts in these cases very beneficially * * *. Headaches * * * In this trouble 'Fruit-a-tives' will tend to relieve * * *. Rheumatism * * * The action of 'Fruit-a-tives' will tend to relieve rheumatism * * * 'Fruit-a-tives' should assist very materially in removing the cause on account of its tonic and disinfectant action on the lining membrane of the intestines. In rheumatism take 'Fruit-a-tives' for some considerable time in order to give it a chance to act * * *. Pelvic pains, or pains around the hips and back * * * In these cases * * * it is advisable to use 'Fruit-a-tives' carefully * * *. Skin disease * * * In these cases 'Fruit-a-tives' will assist very materially in bringing relief * * *. Catarrh * * * In these cases use 'Fruit-a-tives' carefully * * * it is best to use 'Fruit-a-tives' * * *," were false and fraudulent as the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 26, 1919, the Eastern Drug Co., Boston, Mass., claimant, having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

7637. Adulteration of evaporated milk. U. S. * * * v. Aviston Condensed Milk Co., a corporation. Plea of nolo contendere to count 1 of the information. Fine, \$25 and costs. Remaining counts of information dismissed. (F. & D. No. 10284. I. S. No. 19263-p.)

On January 27, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Aviston Condensed Milk Co., St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 15, 1918, from the State of Missouri into the State of Arkansas, of a quantity of an article, labeled in part "Our Best Brand Evaporated Milk," which was adulterated.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that the product was low in fat and solids.

Adulteration of the article was alleged in the information for the reason that an insufficiently condensed milk product, low in fat, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in whole for evaporated milk, which the article purported to be.

On March 17, 1920, the defendant company entered a plea of nolo contendere to the first count of the information, and the court imposed a fine of \$25 and costs. The remaining counts of the information were dismissed.

E. D. BALL, *Acting Secretary of Agriculture.*

7638. Misbranding of Bliss Native Herbs. U. S. * * * v. 84 Boxes * * * of Bliss Native Herbs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11298. I. S. No. 8304-r. S. No. C-1482.)

On September 24, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 84 boxes of Bliss Native Herbs, at Chicago, Ill., alleging that

the article had been shipped by Alonzo O. Bliss, Washington, D. C., on August 14, 1919, and transported from the District of Columbia into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of licorice, aloes, buchu, and capsicum.

Misbranding of the article was alleged in the libel for the reason that the following statements, regarding the curative or therapeutic effects thereof, appearing upon the circular enclosed in each of the boxes, to wit, "Auto-Intoxication is a new name for Chronic Intestinal stasis (constipation) that is the cause of ninety-five percent of human ailments and diseases. * * * To restrain the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication we strongly recommend Bliss Native Herbs Tablets that successfully adjusts bowel troubles. Intestinal Indigestion * * * Rheumatism Bliss Native Herbs is valuable for Sciatica, Lumbago, acute and chronic rheumatic pains, enlargements of joints. Corrects the blood, dissolving acids that accumulate in the system," were false and fraudulent in that the same were applied to the article knowingly and in a reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that the article was, in whole or in part, composed of or contained ingredients or medicinal agents or combinations of ingredients effective, among other things, as a remedy for the various diseases, ailments, and affections mentioned upon the circular contained in each of the boxes, whereas, in truth and in fact, it was not, in whole or in part, composed of and did not contain ingredients or medicinal agents or combinations of ingredients effective, among other things, as a remedy for the various diseases, ailments, and affections mentioned upon the circular contained in each of the boxes.

On March 5, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7639. Misbranding and adulteration of olive oil. U. S. v. Dionyssios Spiropoulos and James Theodore (Spiropoulos Bros.). Pleas of guilty. Fine, \$90. (F. & D. No. 11357. I. S. Nos. 12941-r, 12942-r, 12943-r, 12944-r.)

On December 9, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Dionyssios Spiropoulos and James Theodore, trading as Spiropoulos Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on April 22, 1919, from the State of New York into the State of Massachusetts, of quantities of olive oil, the greater portion of which was misbranded, and one shipment of which was adulterated and misbranded. The oil was labeled variously in part, "Greek National Brand Olive Oil," "Prodotti Italiana * * * Italia Brand Lucca Toscana Italia," "Purissimo Olio di Bitonto-Bar," and "Olio Puro La Vittoria Degli Alleati Brand Union Pure Salad Oil."

Examination of samples of the article made in the Bureau of Chemistry of this department showed that each brand was short volume, and that the La Vittoria brand was a mixture of cottonseed and corn oils.

Misbranding of all the brands of the article except the La Vittoria Degli Alleati brand was alleged in the information for the reason that the statement, to wit, "Net Contents 1 Gal.," or "Net Contents $\frac{1}{2}$ Gallon," or " $\frac{1}{2}$ Gallon Net," borne on the cans containing the article, regarding it, was false and misleading in that it represented that each of the cans contained 1 gallon net or $\frac{1}{2}$ gallon net of the article, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained 1 gallon net or $\frac{1}{2}$ gallon net of the article, whereas, in truth and in fact, each of said cans did not contain 1 gallon net or $\frac{1}{2}$ gallon net of the article, but did contain a less amount. Misbranding of all the brands of the article was alleged for the reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

Adulteration of the La Vittoria Degli Alleati brand was alleged for the reason that oils other than olive oil had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be. Misbranding of this article was alleged for the further reason that the statements, to wit, "Olio Puro" and "Net Contents Half Gallon," together with the designs and devices of the Italian flag, Italian shield, Italian soldier, and map of Italy, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained $\frac{1}{2}$ gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained $\frac{1}{2}$ gallon net of the article, whereas, in truth and in fact, it was not a foreign product, to wit, an olive oil produced in the kingdom of Italy, but said article was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain $\frac{1}{2}$ gallon net of the article, but contained less than $\frac{1}{2}$ gallon net of the article; and for the further reason that the statements, designs, and devices appearing on the cans as aforesaid purported said article to be a foreign product, when not so.

On January 7, 1920, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$90.

E. D. BALL, *Acting Secretary of Agriculture.*

7640. Adulteration and misbranding of a product purporting to be cocoa.
 U. S. * * * v. 384 Packages * * * and 960 Packages * * * of
 a Product Purporting to be Cocoa. Default decree of condemnation,
 forfeiture, and destruction. (F. & D. Nos. 11196-11205, inc., 11223,
 11229. I. S. Nos. 7638-r, 7639-r. S. No. C-1460.)

On September 17, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 384 packages, each containing $\frac{1}{2}$ pound, and 960 packages, each containing $\frac{1}{2}$ pound, of a product purporting to be cocoa, remaining unsold in the original unbroken packages at Marion, Ind., alleging that the article had been shipped on or about March 24, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled, "My Own Pure Cocoa. Net Weight one-

fifth pound" or "one-half pound," as the case may be, " * * * The Cocoa Contained in this package is Positively High Grade and guaranteed by the manufacturers to comply with all Federal and State Food Laws. It is a breakfast cocoa of Superior Quality and Excellence * * * Absolutely Pure No Alkalis No Chemicals * * * " (inconspicuously stamped on side panel) "My own cocoa compound containing corn starch cocoa sugar."

It was alleged in substance in the libel that the strength and purity of the product fell below the standard professed in the marks and brands as above quoted, and [it] was not the product that it purported to be by the aforesaid marks and brands, and that certain foreign substances had been substituted in whole or in part for cocoa, so as to reduce and lower and injuriously affect the quality and strength of the article, and that the same was adulterated.

It was further alleged in substance that the aforesaid marks and brands on each of the packages, regarding the article, were false and misleading in that the article was an imitation of the product which it purported to be by the aforesaid marks and brands; it was further alleged that the product was an imitation of, and offered for sale under the name set forth in said marks and brands, and said product was not the product named in said marks and brands. It was alleged that the product was further misbranded in that the statement "Cocoa" in prominent letters appeared on the front and back panels of the packages and the statement "Pure Cocoa" appeared on each side of the packages, and the statement "The Cocoa Contained in this package is Positively High Grade" appeared on the side panel of the packages, and said statements and each of them were false and misleading in that the product was an imitation of the product which it purported to be by the aforesaid marks and brands. It was further alleged that the statements "Cocoa," "Pure Cocoa," and "The Cocoa Contained in this package is Positively High Grade," all of which statements appeared in conspicuous type, were not sufficiently corrected by the statement inconspicuously stamped on the side panel of the package, to wit, the statement, "My own cocoa compound containing corn starch cocoa sugar." It was alleged that the product in a portion of said packages was misbranded for the further reason that certain of the packages were labeled "Net Weight $\frac{1}{2}$ Lb.," whereas the product was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On February 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal after the removal and obliteration of all branding on the product and the rebranding of the same "Cocoa containing Corn Starch and Sugar." On April 3, 1920, it appearing to the court that the marshal had found it impossible to sell the product, it was ordered by the court that the marshal destroy the same.

E. D. BAIL, *Acting Secretary of Agriculture.*

7641. Adulteration of oranges. U. S. * * * v. 462 Boxes of Oranges.
Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9709. I. S. Nos. 5765-r, 5766-r. S. No. C-1067.)

On February 3, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 462 boxes of oranges, remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about January 25, 1919, by the Sutherland Fruit Co., Riverside, Calif.,

and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, "Native Brand Packed by Sutherland Fruit Co. California."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, putrid vegetable substance.

On February 13, 1919, the said Sutherland Fruit Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that same should not be sold until inspected by a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7642. Misbranding of Brou's Injection. U. S. * * * v. 11½ Dozen Bottles * * * Brou's Injection. Decree of condemnation, forfeiture, and destruction. (F. & D. No. 10643. I. S. No. 7670-r. S. No. C-1305.)

On June 23, 1919, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11½ dozen bottles of Brou's Injection, remaining unsold at Oklahoma City, Okla., alleging that the article had been shipped by E. Fougera & Co., Inc., New York, N. Y., on or about September 27, 1918, and transported from the State of New York into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Brou's Injection * * * E. Fougera, A Company, Inc., New York."

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted of acetates and sulphates of lead and zinc, opium, water, and a small amount of alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that the wrapper label, bottle label, and circular accompanying each bottle bore and contained statements, designs, and devices, regarding the curative and therapeutic effects of said drug article and of the ingredients and substances contained therein, which were false and fraudulent in that said drug article contained no ingredients or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the wrapper label, bottle label, and in the accompanying circular, in part as follows, to wit, (wrapper) "Brou's Injection * * * preservative;" (bottle, in French) "Hygienic and preservative Brou's Injection * * * against discharges recent or chronic and against white flowers;" (circular) "Brou's Injection hygienic and preservative for the cure of all recent and chronic discharges of the urinary organs (Gonorrhœa, Leucorrhœa and Gleet) Brou's Injection will always be more successful if it be used immediately after the first appearance of disease. For ladies the injection should be used * * * Brou's Injection used as preservative * * *."

On October 16, 1919, the Alexander Drug Co., Oklahoma City, Okla., having filed its answer to the libel, setting forth that it had bought the product in good faith without the knowledge that the same was misbranded, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the U. S. marshal without costs to the said Alexander Drug Co.

E. D. BALL, *Acting Secretary of Agriculture.*

7643. Misbranding of Bliss Native Herbs. U. S. v. 21 $\frac{1}{2}$ Dozen Packages of Bliss Native Herb Tablets. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 11284. I. S. Nos. 11363-r, 11364-r. S. No. E-1739.)

On September 25, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 $\frac{1}{2}$ dozen 50¢-size and 8 $\frac{1}{2}$ dozen \$1-size packages of Bliss Native Herb Tablets, alleging that the article had been shipped by Alonzo O. Bliss Co., Washington, D. C., on or about August 20, 1919, and transported from the District of Columbia into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the product made in the Bureau of Chemistry of this department showed that it consisted essentially of aloes, uva ursi, buchu, and magnesium carbonate.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, appearing on the cartons of the 50¢-size and in the circulars accompanying all the packages, regarding the curative and therapeutic effects of the article, were false and fraudulent in that the article consisted essentially of aloes, uva ursi, buchu, and magnesium carbonate, and did not contain any ingredient or combination of ingredients capable of producing the effects claimed: (Carton, 50¢ size) “* * * Indigestion, Dyspepsia, Auto-Intoxication, Sick and Nervous Headache, Kidney and Liver Derangements, Loss of Appetite, Blood Impurities, etc. ;” (circular accompanying each package) “Auto-Intoxication is a new name for Chronic Intestinal stasis (constipation) that is the cause of ninety-five per cent of human ailments and diseases. * * * To restrain the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication we strongly recommend Bliss Native Herbs Tablets that successfully adjusts bowel troubles. Intestinal Indigestion * * * Rheumatism Bliss Native Herbs is valuable for Sciatica, Lumbago, acute and chronic rheumatic pains, enlargement of joints. Corrects the blood, dissolving acids that accumulate in the system. * * * Dyspepsia—Indigestion * * * Kidneys and Bladder Inflammation of bladder, scalding urine and brick-dust sediment, Backache, sharp shooting pains in back, weakness, indicates kidney and bladder trouble. Directions—Take one or two Bliss Native Herbs Tablets each night and drink frequently of water. Liver, When the liver is out of order the symptoms are pronounced headache, sallow complexion, constipation and dizziness, yellow eyeballs, jaundice, sour stomach, variable appetite and generally out-of-sorts condition. Directions—Take one or two Bliss Tablets, followed by one each day until thoroughly regulated. Chronic liver ailments readily submit to treatment with Bliss Native Herbs. Catarrh, This is the name of a common affection of the membrane lining of the nose and throat. It also spreads to the stomach and bowels, and the mucus is thus carried all over the body. When this disease is in the system, Bliss Native Herbs should be used to regulate the stomach and bowels and to purify the blood, thus affording the body more nourishment and force to throw off the ailment and also providing the means of carrying it from the system. Directions—One tablet each night before retiring, repeat in the morning if necessary. Deep-seated catarrhal affection, whether of the head or stomach requires persistent and consistent treatment. Bliss Herbs are guaranteed effective. Grippe Influenza or epidemic catarrh, characterized by active catarrhal inflammations, attended by severe pains throughout the body, sometimes followed by disability. Directions—One to three tablets the first three nights, thereafter one-half to one tablet, to warrant free bowel action.

The Blood * * * Bliss Native Herbs is a great blood stimulator, which also aids in benefiting many of the bodily organs, and healing the afflicted or diseased parts reached through the blood. * * * Perfect health depends upon pure blood, and the way to remove impurities of the blood is to take Bliss Native Herbs. * * * Piles One of the principal causes of piles is constipation, produced, frequently, by straining at stool and by lack of exercise of the rectal muscles. The blood becomes stagnated, the blood vessels are enlarged and press against the delicate tissues, causing them to undergo change from healthy tissue to thickened and enlarged lumps or piles. Neglected piles soon develop into anal fistulas, ulcers of the rectum, etc. The sensible thing to do is to use Bliss Native Herbs Tablets. * * * Malaria, Chills and Fever. Bliss Native Herbs should be taken for this ailment in dose of three tablets the first night and then one each night thereafter until every symptom has disappeared."

On December 31, 1919, the Alonzo O. Bliss Medical Co., a corporation, Washington, D. C., claimant, having admitted the allegations of the libel and consented that all the issues be found in favor of the Government, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be surrendered to said claimant upon payment of all the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7644. Misbranding of Bliss Native Herbs. U. S. v. 144 Boxes, 17 Dozen Boxes, and 60 Dozen Boxes of * * * Bliss Native Herbs. Decree of condemnation and forfeiture. Product ordered released to claimant. (F. & D. Nos. 11285, 11286, 11287. I. S. Nos. 13134-r, 13135-r, 13136-r. S. Nos. E-1736, E-1737, E-1738.)

On September 25, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information praying the seizure and condemnation of 144 boxes, 17 dozen boxes, and 60 dozen boxes of a product called "Bliss Native Herbs," remaining unsold in the original unbroken packages at Boston, Mass., consigned on August 21, and September 2, 1919, by Alonzo O. Bliss Co., Washington, D. C., alleging that the article had been transported from the State of New York into the Commonwealth of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of aloin, galangal, capsicum, licorice, and a resin-bearing drug.

Misbranding of the article was alleged in the libels of information for the reason that the following statements, appearing on the cartons, label, leaflet, and circular, regarding the curative and therapeutic effects thereof, "Auto-intoxication is a new name for Chronic Intestinal stasis (constipation) that is the cause of ninety-five per cent of human ailments and diseases. * * * To restrain the growth of harmful bacteria in the intestines and eliminate them, thereby preventing intestinal putrefaction and auto-intoxication, we strongly recommend Bliss Native Herbs Tablets that successfully adjusts bowel troubles. Intestinal Indigestion * * * Rheumatism Bliss Native Herbs is valuable for Sciatica, Lumbago, acute and chronic rheumatic pains, enlargements of joints. Corrects the blood, dissolving acids that accumulate in the system. * * * Dyspepsia—Indigestion * * * Kidneys and Bladder Inflammation of bladder scalding urine and brick-dust sediment, Back-ache, sharp shooting pains in back, weakness, indicates kidney and bladder

trouble. Directions—Take one or two Bliss Native Herbs Tablets each night and drink frequently of water. Liver When the liver is out of order the symptoms are pronounced headache, sallow complexion, constipation and dizziness, yellow eyeballs, jaundice, sour stomach, variable appetite and generally out-of-sorts condition. Directions—Take one or two Bliss tablets, followed by one each day until thoroughly regulated. Chronic liver ailments readily submit to treatment with Bliss Native Herbs. Catarrh This is the name of a common affection of the membrane lining of the nose and throat. It also spreads to the stomach and bowels and the mucus is thus carried all over the body. When this disease is in the system Bliss Native Herbs should be used to regulate the stomach and bowels and to purify the blood, thus affording the body more nourishment and force to throw off the ailment and also providing the means of carrying it from the system. Directions—One tablet each night before retiring, repeat in the morning if necessary. Deep-seated catarrhal affection, whether of the head or stomach, requires persistent and constant treatment. Bliss Native Herbs are guaranteed effective. Grippe Influenza or epidemic catarrh characterized by active catarrhal inflammations attended by severe pains throughout the body, sometimes followed by disability. Directions—One to three tablets the first three nights, thereafter one-half to one tablet to warrant free bowel action. The Blood * * * Bliss Native Herbs is a great blood stimulator which also aids in benefiting many of the bodily organs and healing the afflicted or diseased parts reached through the blood. * * * Perfect health depends upon pure blood and the way to remove impurities of the blood is to take Bliss Native Herbs. * * * Piles One of the principal causes of piles is constipation, produced, frequently, by straining at stool and by lack of exercise of the rectal muscles. The blood becomes stagnated, the blood vessels are enlarged and press against the delicate tissues causing them to undergo change from healthy tissue to thickened and enlarged lumps or piles. Neglected piles soon develop into anal fistulas, ulcers of the rectum, etc. The sensible thing to do is to use Bliss Native Herb tablets. * * * Malaria Chills and Fever Bliss Native Herbs should be taken for this ailment in dose of three tablets the first night and then one each night thereafter until every symptom has disappeared. * * * After suffering from piles for a long time I was induced to try Bliss Native Herbs. I am thankful to say that I did try them and they cured me completely. I shall always keep a supply on hand and will always recommend them in the highest terms to everyone that I hear of suffering from the painful and annoying disease. * * * I am 85 years old and I am in better health now than when I was 77 thanks to Bliss Native Herbs for they cured me of rheumatism that I had suffered from for years and kidney trouble which caused me no end of pain. I was advised to take Bliss Native Herbs by my sister and I have been thankful ever since because I am free from that terrible pain in my back. I can truthfully recommend Bliss Native Herbs to all who suffer from rheumatism, kidney or liver trouble. * * * I was tortured as a result of abscess of the liver that the doctor said would kill me if I did not do something soon and he treated me for some time by washing my stomach but this didn't bring me relief so I tried Bliss Native Herb tablets and can truthfully say that I am free from liver or stomach trouble. * * * Asthma troubled me so much that I could not lie down at nights and my friends had given me up to die. I was advised to take Bliss Native Herbs and before using an entire box could rest lots better. I now sleep good at night, feel good and can work as hard as ever I will keep Bliss Native Herbs in my house as long as I

live," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On December 24, 1919, the Eastern Drug Co., and Gilman Bros., Boston, Mass., claimants, having filed their respective claims and answers to the libels of information and having filed satisfactory bonds in conformity with section 10 of the act, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be delivered to said claimants upon payment of the costs of the proceedings.

E. D. BALL, *Acting Secretary of Agriculture.*

7645. Misbranding of Madame Dean Antiseptic Vaginal Suppositories. U. S. v. 1½ Dozen Boxes of * * * Madame Dean Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11290. I. S. No. 17312-r. S. No. E-1695.)

On September 23, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1½ dozen boxes of an article of drugs, labeled in part "Madame Dean Antiseptic Vaginal Suppositories," remaining unsold in the original unbroken packages at Baltimore, Md., consigned on or about December 31, 1918, alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article made in the Bureau of Chemistry of this department showed that it consisted essentially of cacao butter, bismuth and aluminum salts, sulphate, boric and tannic acids, and a small amount of unidentified plant material.

Misbranding of the article was alleged in the libel for the reason that the following statements, regarding the curative and therapeutic effect thereof, were false and fraudulent, as the article did not contain any ingredients or combination of ingredients capable of producing the effects claimed: (Carton) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Vaginitis, Vulvitis, Gonorrhœal Inflammation, Leucorrhœal Discharges; Inflammation, Congestion and Ulceration of the Vagina. The United Medical Co., Lancaster, Pa.;" (wrapper) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Leucorrhœa or Whites, Gonorrhœa, Inflammation, Congestion, Ulceration and Similar Female Complaints;" (circular) Madame Dean Antiseptic Vaginal Suppositories for the relief of Vaginitis, Vulvitis, Gonorrhœal Inflammation, Leucorrhœal Discharges; Inflammation, Congestion and Ulceration of the Vagina * * *;" (booklet) "A friend in Need is a Friend Indeed Madame Dean Antiseptic Vaginal Suppositories An effectual suppository for the relief of Leucorrhœa or Whites, Gonorrhœa, and similar Female Complaints."

On October 31, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7646. Misbranding of cottonseed meal. U. S. v. Charles A. Alling (Pine Bluff Cotton Oil Mill). Plea of guilty. Fine, \$175. (F. & D. No. 9973. I. S. Nos. 7155-p, 9625-p, 9626-p, 9777-p, 11915-p, 15416-p, 6351-r.)

On September 19, 1919, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the Dis-

trict Court of the United States for said district an information against Charles A. Alling, trading as the Pine Bluff Cotton Oil Mill, Pine Bluff, Ark., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about October 16, 1917, from the State of Arkansas into the State of Maine; on or about June 12, 1918, June 13, 1918, June 14, 1918, and May 15, 1918, from the State of Arkansas into the State of Missouri; on or about May 13, 1918, from the State of Arkansas into the State of Ohio; and on or about October 31, 1917, from the State of Arkansas into the State of Michigan, of quantities of cottonseed meal which was misbranded. Part of the shipments were made in the name of the Pine Bluff Cotton Oil Mill and others in the name of W. C. Nothorn. The article was variously labeled in part, "Tip Top Prime Cotton Seed Meal," "Butterfly Meal," or "Feeders Favorite Brand Cotton Seed Meal."

Analyses of samples of the article made in the Bureau of Chemistry of this department showed it to be deficient in protein, nitrogen, and ammonia, and that there was present an excessive amount of crude fiber. The shipment to Maine was deficient in fat also.

Misbranding of the Maine shipment was alleged for the reason that the statement, to wit, "Guaranteed To Contain: Nitrogen—not less than 6.18%, equivalent to ammonia—not less than 7.50%, protein not less than 38.62%, fat—not less than 6.50%, crude fibre—not more than 10.00%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained not less than 6.18 per cent of nitrogen, not less than 7.50 per cent of ammonia, not less than 38.62 per cent of protein, not less than 6.50 per cent of fat, and not more than 10.00 per cent of crude fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 6.18 per cent of nitrogen, not less than 7.50 per cent of ammonia, not less than 38.62 per cent of protein, not less than 6.50 per cent of fat, and not more than 10.00 per cent of crude fiber, whereas, in truth and in fact, said article did contain less than 6.18 per cent of nitrogen, less than 7.50 per cent of ammonia, less than 38.62 per cent of protein, less than 6.50 per cent of fat, and did contain more than 10.00 per cent of crude fiber.

Misbranding of the remaining shipments was alleged in substance for the reason that the statement, to wit, "Protein 38.62% * * * Crude Fibre 8%" or "Protein 38.55 to 41% * * * Crude Fibre 8 to 12%," borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that said article contained not less than 38.62 per cent of protein and not more than 8 per cent of crude fiber, or not less than 38.55 per cent of protein or more than 12 per cent of crude fiber, as the case might be, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that said article contained not less than 38.62 per cent of protein and not more than 8 per cent of crude fiber, or not less than 38.55 per cent of protein and not more than 12 per cent of crude fiber, whereas, in truth and fact, the article contained less than 38.62 or 38.55 per cent of protein, and did contain more than 8 or 12 per cent of crude fiber.

On December 12, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$175.

E. D. BALL, *Acting Secretary of Agriculture.*

7647. Adulteration and misbranding of olive oil. U. S. * * * v. 17 Cans * * * of a Product Purporting to be Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9835. I. S. Nos. 7901-r, 7902-r. S. No. C-1089.)

On March 5, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 cans, each containing 1 gallon of a product purporting to be olive oil, remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about February 1, 1919, by the Union Olive Oil Co., New York, N. Y., and transported from the State of New York into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil Insuperabile (picture of olive tree and natives gathering and packing olives) Termini Imerese Type Net Contents 1 gallon," and in inconspicuous type "Cottonseed oil slightly flavored with olive oil," and "Olio Sopraffino Qualita Superiore Olio Finissimo," and in very inconspicuous type "Cottonseed and," and in larger type "Olive Oil," and "A Compound Tripolitania Brand Net Contents Full Gallon" (picture of coat of arms, medals, and crowns).

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that said article was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof into the belief that the product in each of said cans was pure olive oil, when, in fact, said product was an imitation of pure olive oil, and was offered for sale under the distinctive name of another article. Misbranding of the article was alleged for the further reason that said cans were labeled and branded as aforesaid so as to purport it to be a foreign product, when, in fact, said article was not a foreign product. Further misbranding was alleged for the reason that said article was food in package form, and the quantity of the contents of said product in each of said cans was not then and there plainly and correctly stated on the outside of the package in terms of weight or measure.

On January 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7648. Adulteration and misbranding of olive oil. U. S. * * * v. 29 Cases of Alleged Olive Oil. Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 9945. I. S. Nos. 6731-r, 8816-r. S. No. C-1122.)

On March 25, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 29 cases of alleged olive oil, consigned by B. G. Makris, New York, N. Y., remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on September 17, 1918, and transported from the State of New York into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Finest Quality Table Oil (picture of olive tree and natives gathering and packing olives) Tipo Termini Imerese Sicilia Italia One Gallon Net Guaranteed Absolutely Pure."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the statements borne on the cans, to wit, "Finest Quality Table Oil (picture of olive tree and natives gathering and packing olives)," "Tipo Termini Imerese Sicilia Italia," "One Gallon Net," and "Guaranteed Absolutely Pure," were false and misleading in that they represented that the article consisted of genuine olive oil, whereas, in truth and in fact, said article consisted in part of cottonseed oil. Misbranding was alleged for the further reason that the statements above quoted, together with the designs and devices appearing upon the labels, conveyed the impression that said article was a foreign product, whereas said article was a product of domestic manufacture. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, genuine olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents of each of the said cans was not plainly and conspicuously marked on the outside of the package in terms of weight or measure.

On July 3, 1919, Paul Lopresti, Chicago, Ill., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product should be labeled under the supervision of a representative of this department.

E. D. BALL, *Acting Secretary of Agriculture.*

7649. Adulteration and misbranding of oil of sweet birch. U. S. * * * v. Edward E. Dickinson (E. E. Dickinson & Co.). Plea of guilty. Fine, \$300. (F. & D. No. 10864. I. S. Nos. 13609-r, 13716-r, 8628-p.)

On December 2, 1919, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward E. Dickinson, trading as E. E. Dickinson & Co., Essex, Conn., alleging shipment on or about July 29, 1918, August 3, 1918, and July 8, 1918, by said defendant, in violation of the Food and Drugs Act, from the State of Connecticut into the States of Michigan and New York, of consignments of an article, labeled in part "Oil Betula Lenta, U. S. P.," "Dickinson's Oil Betula Lenta (Sweet Birch) E. E. Dickinson & Co. Distillers * * *," "Oil of Betula. (Betula Lenta.) (Oil of Sweet Birch.) (Sometimes Called Oil of Wintergreen.)," and "Dickinson's Oil Betula Lenta Sweet Birch E. E. Dickinson & Co. Distillers * * *," which was adulterated and misbranded.

Analysis of a sample of the product made in the Bureau of Chemistry of this department showed it to contain synthetic methyl salicylate.

Adulteration was alleged in the information for the reason that the shipments of July 8, 1918, and of July 29, 1918, were sold under and by a name recognized in the United States Pharmacopœia, and the article differed from the standard prescribed in the said Pharmacopœia, and its own standard was not then and there stated upon the container. Adulteration was alleged for the further reason that the strength and purity of the said article fell below the professed standard and quality under which it was sold, and that a substance, to wit, synthetic methyl salicylate, had been mixed and packed with the article so as

to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for oil betula lenta, that is to say, oil of sweet birch, which the article purported to be.

It was alleged in the information that the article shipped on August 3, 1918, was adulterated in that it was sold under and by a name recognized in the United States Pharmacopœia, and that it differed from the standard prescribed in said Pharmacopœia, and its own standard was not stated upon the container, and the strength and purity of the article fell below the professed standard and quality under which it was sold.

Further adulteration was alleged as to the shipment of August 3, 1918, in that a substance, to wit, synthetic methyl salicylate, had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality and strength, and had been substituted in part for oil of sweet birch, which the article purported to be.

Misbranding of the article in all of the shipments was alleged for the reason that the statements, "Oil Betula Lenta," "Oil of Sweet Birch Wintergreen Betula Dickinson's Oil of Sweet Birch, U. S. P.," and "Dickinson's Oil Betula Lenta (sweet birch) Oil of Betula. (Betula Lenta.) (Oil of Sweet Birch.) (Sometimes Called Oil of Wintergreen.)," appearing on the respective labels, were false and misleading in that they represented to purchasers of the said article that the same consisted of oil of sweet birch, whereas, in fact and in truth, the article was not oil of sweet birch, but was a mixture of oil of sweet birch with synthetic methyl salicylate. Further misbranding was alleged in that the article was an imitation of another article, to wit, oil betula lenta, that is to say, oil of sweet birch, and was offered for sale under the distinctive name of another article, to wit, oil of sweet birch, whereas, in truth and in fact, the said article was not oil of sweet birch, but was a mixture of oil of sweet birch with synthetic methyl salicylate.

On December 11, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$300.

E. D. BALL, *Acting Secretary of Agriculture.*

7650. Adulteration and misbranding of condensed milk. U. S. * * * v. 4,228 Cases * * * Condensed Milk. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 8853. I. S. No. 1367-p. S. No. E-991.)

On or about March 12, 1918, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4,228 cases, each containing 48 16-ounce cans of condensed milk, consigned on or about November 13, 1917, November 26, 1917, February 4, 1918, and February 13, 1918, by T. M. Stevens & Co., incorporated, Portland, Ore., remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped and transported from the State of Oregon into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Holly Brand Unsweetened Condensed Milk Manufactured by Holly Condensed Milk Co., Amity, Oregon. Notice The Manufacturers guarantee the contents of this can to be pure cows' milk, condensed and thoroughly sterilized. It contains no preservative or foreign substance whatever. * * *"

Adulteration of the article was alleged in the libel for the reason that a partially condensed milk had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for condensed milk, which the article purported to be.

Misbranding of the article was alleged for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, condensed milk, and that the statement "Condensed Milk" was false and misleading and deceived and misled the purchaser into the belief that the product was condensed milk, whereas examination showed that it was a partially condensed milk.

On October 3, 1918, Austin, Nichols & Co., Inc., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

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United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

SUPPLEMENT.

N. J. 7651-7700.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., October 19, 1920.]

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

7651. Adulteration and misbranding of cider vinegar. U. S. * * * v. 50 Cases * * * of a Product Purporting to be Pure Cider Vinegar. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 8839. I. S. No. 8867-p. S. No. C-827.)

On March 4, 1918, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases, each containing 3 dozen bottles of a product purporting to be pure cider vinegar, remaining unsold in the original unbroken packages at Terre Haute, Ind., alleging that the article had been shipped on or about December 14, 1917, by the Chicago Chemical Works, Chicago, Ill., and transported from the State of Illinois into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Navy Brand Pure Cider Vinegar Guaranteed Pure and To Comply With All Pure Food Laws Of The World Acidity Reduced To 4½ Per Cent Chicago Chemical Works Chicago Illinois."

Adulteration of the article was alleged in substance for the reason that distilled vinegar or a solution of dilute acetic acid with added water had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality, and had been substituted in part for pure cider vinegar, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the article was an imitation of pure cider vinegar, and was offered for sale under the distinctive name of another article, to wit, pure cider vinegar, and for the further reason that the article was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof into the belief that the product was pure cider vinegar, when, in fact, said product was not pure cider vinegar, but

was a product consisting in part of distilled water or a solution of dilute acetic acid and added water. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the bottles in terms of weight, measure, or numerical count.

On January 2, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and on February 24, 1920, it was ordered by the court that the product be relabeled "Distilled Vinegar and Excessive Added Water" and sold by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7652. Adulteration and misbranding of sauerkraut. U. S. * * * v. 979 Cases of Sauerkraut. (F. & D. Nos. 8748, 8749, 8750. I. S. Nos. 9240-p, 9241-p, 9242-p. S. No. C-787.)

On January 26, 1918, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 979 cases of sauerkraut, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on or about November 30, 1917, by the Thomas Canning Co., Grand Rapids, Mich., and transported from the State of Michigan into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Topmost Extra Sauer Kraut Highest Excellence Achieved," "Reputation Brand Sauer Kraut," and "Park Brand Sauer Kraut," and each brand was also labeled "Contains 1 lb. 3 ozs."

Adulteration of the article was alleged in the libel for the reason that an excessive amount of brine had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for sauerkraut, which the article purported to be.

Misbranding of the article was alleged for the reason that the statement, to wit, "Sauer Kraut," borne upon each of the labels, deceived and misled the purchaser into the belief that the article consisted of sauerkraut containing a normal quantity of brine, whereas the article contained an excessive quantity of brine.

On May 15, 1918, the Sheppard-Strassheim Co., Inc., a claimant for a portion of the consignment, having consented to a decree, and on July 19, 1918, W. M. Hoyt Co., a corporation, also having consented to a decree, separate judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be delivered to said claimant upon the payment of the costs of the proceedings and the execution in each case of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that a sticker label bearing the statement "13½ ozs. Sauer Kraut; 5½ ozs. Added Brine," in prominent letters, be placed over the words "Sauer Kraut," appearing on the cans and cases.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7653. Adulteration of corn meal. U. S. * * * v. 400 Bags of a Product Purporting to be Corn Meal. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 9081. I. S. No. 9177-p. S. No. C-911.)

On June 15, 1918, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and

condemnation of 400 bags, each containing 100 pounds of a product purporting to be corn meal, remaining unsold in the original unbroken packages at Gary, Ind., alleging that the article had been shipped on or about February 28, 1918, by Morris Kennedy, Rochelle, Ill., and transported from the State of Illinois into the State of Indiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Corn Meal."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On April 5, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7654. Misbranding of Cal-Sino Hog Restorative. U. S. * * * v. 6 Pails, 11 Pails, and 45 Pails of Cal-Sino Hog Restorative. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 8960, 8961, 8962. I. S. Nos. 3379-p, 3381-p, 3382-p. S. No. E-1017.)

On or about April 15, 1918, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 pails, 11 pails, and 45 pails of Cal-Sino Hog Restorative, remaining unsold in the original unbroken packages at Mears, Greenbush, and Onley, Va., alleging that the several consignments had been shipped on or about March 21, 1918, by the Cal-Sino Co., Baltimore, Md., and transported from the State of Maryland into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended. Said article was labeled as follows, "An Alternative Tonic and Intestinal Disinfectant Designed for Hog Cholera * * * Give Cal-Sino Hog Restorative during prevalence of Hog Cholera and on noticing suspicious signs of Cholera. It rids the system of impurities, helps to make good blood and disinfects the bowels thoroughly, and therefore wards off Cholera as well as other diseases or checks their progress. * * * Try to Prevent Sickness and Ward off Cholera. Make it your first aim to keep away Cholera and other infectious diseases by the regular use of Cal-Sino Hog Restorative * * * Aids in the Prevention and Cure of all Hog Diseases especially Cholera * * *."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of sulphur, sodium sulphate, chlorid, bicarbonate, ferrous sulphate, charcoal, turpentine, cresols in small amount, mineral oil and unidentified plant material.

Misbranding of the article was alleged in the libel for the reason that the foregoing statements were false and fraudulent in that the article and drugs did not contain any ingredient or combination of ingredients capable of producing the therapeutic effects so claimed on the cartons and labels.

On March 20, 1920, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7655. Adulteration of tomato pulp. U. S. * * * v. 129 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8914. I. S. No. 6806-p. S. No. C-863.)

On April 1, 1918, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel for the seizure and condemnation of 129 cases of tomato pulp, remaining unsold in the original unbroken packages at Birmingham, Ala., alleging that the article had been shipped on or about March 14, 1918, by the Jacob Dold Packing Co., Atlanta, Ga., and transported from the State of Georgia into the State of Alabama, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Diamond Brand Tomato Pulp."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal or vegetable substance.

On September 24, 1919, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7656. Adulteration of tomato pulp. U. S. * * * v. 175 Cases * * * of a Product Purporting to be Tomato Pulp. (F. & D. Nos. 8731, 8732, 8733, 8734, 8735. I. S. No. 8849-p. S. No. C-796.)

On January 18, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 175 cases * * * of a product purporting to be tomato pulp, remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about October 1, 1917, by the Booth Packing Co., Baltimore, Md., and transported from the State of Maryland into the State of Indiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part "Diamond Brand Tomato Pulp."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On December 27, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7657. Misbranding of Hall's Texas Wonder. U. S. * * * v. 1 Gross Packages of a Product Labeled "The Texas Wonder, Hall's Great Discovery." Judgment of condemnation, forfeiture, and destruction. (F. & D. No. 9322. I. S. No. 16061-r. S. No. E-1114.)

On September 11, 1918, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 gross packages of a product, labeled "The Texas Wonder, Hall's Great Discovery," remaining unsold in the original unbroken packages at Macon, Ga., alleging that the article had been shipped on or about August 24, 1918, by E. W. Hall, St. Louis, Mo., and transported from the State of Missouri into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "A Texas Wonder, Hall's Great Discovery. Contains 43% alcohol before diluted, 5% after diluted. The Texas Wonder, Hall's Great Discovery, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Dissolves Gravel. Regulates Bladder Trouble in Children. One small bottle is 2 months' treatment. Price \$1.25 per bottle. Registered in U. S. Patent Office. E. W. Hall, sole manufacturer, St. Louis, Missouri, etc."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of balsam of copaiba, turpentine, rhubarb, colchicum, alcohol, and water.

Misbranding of the article was alleged in the libel in substance for the reason that the above-quoted statements were false and fraudulent, said product containing no ingredients or combination of ingredients capable of producing the curative or therapeutic effects claimed for it.

On January 11, 1919, E. W. Hall, claimant, having filed a claim and answer, and the case having come on for hearing before the court and a jury, and the jury having returned a verdict for the Government, judgment of condemnation and forfeiture was entered January 15, 1919, and it was ordered by the court that the product be forfeited to the United States and destroyed by the United States marshal.

The following charge was delivered to the jury by the court (Evans, D. J.):

GENTLEMEN OF THE JURY: This is a proceeding instituted under what is known as the Pure Food and Drugs Act. Congress enacted a statute the purpose of which is to protect from imposition people and the public, against people who wanted to take advantage of the public by imposing upon them deteriorated or misbranded goods.

This proceeding is what is known as a libel in rem, upon information of the district attorney, wherein it is alleged that a certain product, or medicine, known as "A Texas Wonder," in the jurisdiction of this court, had been transported in interstate commerce from the city of St. Louis, Mo., to the city of Macon, Ga., and that this product was misbranded; that the carton, the box in which the product was contained bore the statement: "A Texas Wonder Hall's Great Discovery. Contains 43% alcohol before diluted; 5% after diluted. The Texas Wonder, Hall's Great Discovery, for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism, Dissolves Gravel, Regulates Bladder Troubles in Children." The libel alleges that that constituted a misbranding, in that this compound did not have the therapeutic effects that it is represented to have, and that the statement on the carton that it did have such therapeutic effect was false and fraudulent. Now, under this libel, certain quantities of this product was seized; and the originator or manufacturer of the compound has filed a claim. In that claim he traverses the allegations of the Government, and contends that no false statements were contained in the carton. Now that is the issue for you to try.

There is a stipulation between the district attorney and counsel for the claimant, which relieves you of passing upon some questions in the case. It is agreed that the product described in the libel, as amended, was shipped in interstate commerce as set forth in the libel, and that the said product was secured from the consignee as described in said libel by an inspector of the Bureau of Chemistry of the United States Department of Agriculture, and that it was sealed and delivered to an analyst, Nathan K. Nelson, in the identical condition in which it was collected by the inspector.

The issue thus left from the pleadings for you to determine is whether or not the statements on the carton are false and fraudulent. You are instructed that it is necessary for the Government to prove that such statements are false and fraudulent, the burden is upon the Government; and if you do not believe the Government has proved this by a preponderance of the testimony you will find for the claimant.

In passing upon that issue you are the judges of the evidence and the credibility of the witnesses. In determining the credibility of any witness you may consider his appearance and demeanor upon the stand, his interest or want of interest in the case, his prejudice or bias, if any appears, his means and opportunity of knowing the facts to which he testifies, the reasonableness or unreasonableness of the testimony. All of these matters may be considered by you in determining whether any witness has sworn truly or falsely. You should impute perjury to no witness. If you find there is any conflict in the testimony determine whether the conflict is real or apparent; if the conflicts are only apparent, it would be your duty to reconcile them; if they are real and irreconcilable, ascertain the truth of the case, and there base your verdict.

The contention of the Government is that this statement is false, and it becomes necessary, in that connection, for me to construe for you the meaning of

this statement, the branding on this carton. "A Texas Wonder Hall's Great Discovery * * * for Kidney and Bladder Troubles, Diabetes, Weak and Lame Backs, Rheumatism," is not a statement that it is a specific for the cure of those diseases, but it is a statement that it is recommended that it would have a therapeutic or curative effect in the treatment of those diseases. The further statement, that it dissolves gravel, is a statement of fact; it is an assertion, an affirmative assertion of the originator of this compound, that it will have the effect, if taken according to directions, of dissolving gravel in the human body; and also that it will have the effect of regulating bladder trouble in children. That is the statement upon this carton. It is recommended that it will have a therapeutic effect in the treatment of kidney and bladder troubles, diabetes, weak and lame backs, and rheumatism; it is a statement of fact that it dissolves gravel and regulates bladder trouble in children.

Now, the first question for you to determine is whether or not that statement is false. The Government has introduced as a witness the chemist, and, according to my recollection of his testimony, he says that this compound or concoction consists of three main ingredients; that is, that he found pine oil and alcohol, and I believe copaiba, and found rhubarb and colchicum in combination. That is simply my recollection; if you differ with me, of course your recollection controls. The chemist says that these are in the proportion that he testified, consisting of a very large per cent of alcohol and some water, less than 50 per cent of the medicinal ingredients. On that question the claimant joins issue with the Government. He testifies that it contains certain other ingredients, the nature of which he did not disclose; that under the Pure Food and Drugs Act it is improper on the part of the Government to require a disclosure of the contents of his formula. That is one of the questions for you to decide—whether or not that product has been analyzed chemically correctly; whether or not the analysis given by the chemist contains, substantially, the medicinal ingredients alleged, or whether he has omitted some important drug which the claimant contends is in it. That is the first question.

In passing upon the question as to the alleged falsity of the statement you may consider the testimony of the doctors, the medical men, brought forward by the Government, as to whether or not a concoction containing the ingredients described by the chemist has any therapeutic effect for the treatment of the diseases named on this carton. The doctors testify that they have no really curative effect. They say, further, as to some diseases, they are structural and not functional, and that they are incurable by any medicine known to the pharmacopeia; they contend, and they swear, that such diseases as chronic Bright's, or tuberculosis of the kidney or bladder are incurable by any known medicinal aid. The claimant in this case joins issue with these gentlemen. You are to pass upon that question—as to whether or not those diseases are curable, and whether or not any of them would be remedied or relieved by the use of this medicine. If you believe that the Government has established that it had no curative or therapeutic effect, then that would be a false statement; and then you would go to another phase of the case, which I will charge you further on.

Now, the defendant produces a number of nonprofessional witnesses, who testify that they had on various occasions various disorders, and that they took this compound with beneficial results; and that it had not been misbranded, because in their own experience it had distinctly beneficial therapeutic effects. The Government contends that that testimony is not to be accepted in lieu of the testimony of doctors, professional men, for the reason that these witnesses are nonexperts, and are not supposed to know the anatomy and physiology of the human system; that they are not prepared to say whether the disease was idiopathic, or organic, or whether it was simply a symptom of some diseased condition. For instance, take the disease commonly called dropsy; it is frequently referred to as an independent disease, when it is known that dropsy is one of the symptoms of Bright's disease, and in the last stages of cirrhosis of the liver; and when a man says he has dropsy he would not say whether he had cirrhosis of the liver or Bright's disease. On the other hand, it is contended by the claimant that these witnesses had serious disorders, and that they were manifested by certain symptoms; and that irrespective of their diagnosis, professional diagnosis, that they were suffering from these diseases, and that they were relieved.

You take all this into consideration and determine whether this particular compound has a therapeutic effect in the treatment of these diseases for which it is recommended.

With reference to one of these diseases, it is a statement of fact—that it will have the effect of dissolving gravel. The Government contends that that is a false statement—that there is no formula, no medicine, taken into the human system, that will have the effect of dissolving gravel but what would also destroy the tissues of the body, and that that statement is absurd. The claimant denies that contention. That is one of the questions for you to consider, that is, whether that is a false statement. If this compound will not dissolve gravel, then that is a false statement. On the other hand, if it will dissolve gravel, it is not a false statement.

The Government does not charge that colchicum can not be used as a remedial agency, under certain circumstances; neither does it insist but what rhubarb may have its use in the medical pharmacopœia, but the Government contends that the union of these various ingredients into this product, of the character established—that although they may have a use for some particular purpose, when brought together as in this compound, they have no therapeutic effect, as recommended in this label.

If you reach the conclusion on this question that that is a false statement, the next question you would consider is whether or not it was a fraudulent statement.

The word fraudulent means guilty intent, that is, that the claimant intended to defraud those who should buy Hall's Great Discovery, Texas Wonder. If he honestly believed that Texas Wonder would do what he claimed it would do, then it was not fraudulently misbranded, within the terms of the law, and you should find for the claimant. If you should find that it is a false statement, then in passing upon the question as to whether it was also fraudulent, you may take into consideration the chemical contents of the concoction as proven. You may consider also the therapeutic skill and knowledge of the originator of the concoction. The claimant admits that in his early life he was deprived of educational advantages, except in the common school; that he did not attend a medical college; that he is not a doctor. He contends that he stayed with doctors, went around the country with them, rode with them, and associated with them. He contends that he was afflicted with certain disorders of the nature that he recognized this compound to be a beneficial medical agent for; and that experimenting upon himself and upon others he discovered that this union of the ingredients would be beneficial in the treatment of the diseases named on this carton; and that in that way he derived a good technical and medical knowledge of them. You take into consideration the fact as to whether a man without chemical knowledge, without laboratory experience, can medicinally understand the remedial effects of such drugs as this concoction is shown to have had in it; and determine whether or not that testimony is to be relied upon and accepted in preference to the chemist's who made the laboratory test, the chemical analysis.

There is another element that enters into the question of fraudulent intent, and perhaps the controlling element—as to whether or not this claimant honestly believed that this concoction was a cure—not a specific—but would have a remedial, a therapeutic effect upon the persons suffering with the diseases named on the carton. If he believed that, if you find that it was an honest transaction in that respect, then he would not be guilty of fraudulent intent. In passing upon that question you take into consideration all the facts of the case; determine as to whether his knowledge is that of a person who understands the effect of it, or whether or not it is the statement of a mere faker or charlatan who desires to impose upon the public a formula for sale for the making of money.

Other matters may be considered by you in determining as to the fraudulent intent; one matter as to the wording of the statement on the carton. It seems that the claimant has been engaged in the manufacture of this compound for several years, and that, perhaps, there has lately been some change in the carton; at one time he having on the carton "Dr. E. W. Hall." The Government contends that that is a circumstance going to show that he was undertaking to impress people with the fact that he was a doctor; and it seems that that has been taken off. The Government contends further that the marking, "Hall's Great Discovery"—I believe—has been taken off. The claimant contends that the reason he did that was that he wanted to comply with the demands of one of the Bureaus of Agriculture; and that more recently he has taken off that part of the label which says it will dissolve gravel, although he still firmly believes that it will dissolve gravel; that he removed that from the more recent cartons. You may take all the circumstances, and determine whether or not there was any fraudulent intent, or whether he

was putting it out in the honest belief that it would have all the therapeutic effects it is recommended to have.

Now, it is not necessarily a question as to whether this compound would have a harmful or a harmless effect on people who took it. It may be that those ingredients would have no effect at all; or they may have a harmless effect. That is for you to determine; but the main issue is whether or not they would have the therapeutic effect, that is, whether it was a beneficial formula, a medicinal aid, as recommended on this carton,—whether or not that is false, and whether or not it was made with the intent to defraud.

There has been some allusion to two former trials, one in St. Louis, Mo., and the other one in Texas. The trial in St. Louis was a criminal case, and in that case the defendant was acquitted under instructions from the court. The trial in Texas was a condemnation proceeding, similar to that engaging the attention of the court at present. In the Dallas, Tex., case the jury condemned this medicine as being contained in a carton, which had on it a false and fraudulent statement. That trial occurred some time in July. Now this shipment which is before you, under investigation, was some months after that, I believe the 24th of August. You may consider that testimony, and the information or knowledge given to the claimant in that case—what he derived from the trial of that case as to the Government's contention as to the actual contents, and if you find the Government's contention true about it, that they had no therapeutic effect for the diseases recommended, then, if after that trial he continued to put it upon the market, you can consider that circumstance as bearing on the question as to whether there was any intent to defraud the people by putting the article on the market.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7658. Adulteration and misbranding of an article purporting to be dried sugar-beet meal. U. S. v. 2,942 Sacks of Beet Meal. Consent decree of condemnation and forfeiture. Product ordered destroyed. (F. & D. No. 9047. I. S. No. 8244-p. S. No. C-900.)

On June 4, 1918, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,942 sacks of beet meal, more or less, remaining in the original unbroken packages at Milwaukee, Wis., alleging that 1,795 of said sacks had been shipped on or about May 1, 1918, and transported from the State of New Jersey into the State of Wisconsin, that 765 of said sacks had been shipped on April 29 and 30, 1918, and transported from the State of New York into the State of Wisconsin, and that 382 of said sacks had been shipped on May 7, 1918, and transported from the State of Pennsylvania into the State of Wisconsin, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "100 Lbs. Dried Sugar Beet Meal * * *."

Adulteration of the article was alleged in the libel for the reason that excessive sand had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality, and for the further reason that it consisted in part of a decomposed vegetable substance.

Misbranding was alleged in substance for the reason that the label upon the sacks containing the article bore the statement regarding it that the same was "sugar beet meal," which statement was false and misleading in that the article was not sugar-beet meal, but was, in truth and in fact, a mixture of sugar-beet tops, crowns, and tails and sand. Misbranding was alleged for the further reason that the label upon the sacks containing the article bore the statement regarding it that the same was "sugar beet meal" in such form and display on said label as to give the impression that it was pure sugar-beet meal, whereas, in truth and in fact, it was not, but was a mixture in which a sand product had been mixed and packed with sugar-beet tops, crowns, and

tails, and such statement on said labels was false and misleading, and said product was on account thereof so labeled and branded as to deceive and mislead the purchaser thereof.

On December 2, 1918, Max Hottelet, Milwaukee, Wis., claimant, having filed his answer admitting all the material allegations in the libel, and the Garden City Milling Co., a corporation, Garden City, Kans., having appeared in the matter as intervenor, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, and that the costs of the proceedings be recovered of said Max Hottelet, claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7659. Adulteration and misbranding of cocoa. U. S. v. 390 Boxes and 137 Boxes of Cocoa. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10013, 10014. I. S. Nos. 12840-r, 12841-r. S. Nos. E-1294, E-1295.)

On April 9, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information praying the seizure and condemnation of 390 boxes and 137 boxes of cocoa, remaining unsold at Boston, Mass., consigned on February 29, and March 1, 1919, alleging that the article had been shipped by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the Commonwealth of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was labeled in part, "My Own Pure Cocoa * * * The cocoa contained in this package is positively high grade."

Adulteration of the article was alleged in the libels of information for the reason that it consisted wholly or in part of starch and sugar and contained excessive cocoa shells, and for the further reason that it was mixed in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, cocoa, and in that the statement, "My Own Pure Cocoa," was not sufficiently corrected by the inconspicuous statement, "My Own Cocoa Compound," and [said branding] was false and misleading.

On August 5, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7660. Adulteration and misbranding of canned tomatoes. U. S. * * * v. 1,499 Cases of Canned Tomatoes. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9380. I. S. No. 5982-r. S. No. C-981.)

On October 9, 1918, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,499 cases of canned tomatoes, consigned on or about September 4, 1918, by the Sunbright Canning Co., Dickson, Tenn., remaining unsold in the original unbroken packages at Bessemer, Ala., alleging that the article had been shipped and transported from the State of Tennessee into the State of

Alabama, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "Helmet Tomatoes."

Adulteration of the article was alleged in the libel for the reason that a substance, to wit, added water, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for tomatoes, which the article purported to be.

Misbranding of the article was alleged in substance for the reason that the statement "Tomatoes" on the label of said article was false and misleading and deceived and misled the purchaser into the belief that the product consisted entirely of tomatoes, whereas, in truth and in fact, said article did not consist entirely of tomatoes, but contained added water. Misbranding of the article was alleged for the further reason that it was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, tomatoes.

On December 7, 1918, the Sunbright Canning Co., Dickson, Tenn., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, conditioned in part that the product should be relabeled in conspicuous type showing that the article contained 20 per cent added water.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7661. Adulteration of evaporated apples. U. S. v. 220 Boxes of Evaporated Apples. Consent decree of condemnation. Product ordered released to claimant. (F. & D. No. 11821. I. S. Nos. 12776-r, 12778-r. S. No. W-526.)

On December 19, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 220 boxes of evaporated apples, consigned by Joseph Travers & Sons, Sebastopol, Calif., on November 5, 1919, remaining at Boston, Mass., alleging that the article had been shipped and transported from the State of California into the Commonwealth of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that water had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the article.

On February 18, 1920, the California Packing Corporation, by Frank B. Priest, agent, having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product be delivered to said claimant upon payment of the costs of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7662. Misbranding of Prescription 1000 Internal. U. S. * * * v. 14 Bottles of Prescription 1000 Internal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11230. I. S. No. 9425-r. S. No. C-1457.)

On September 16, 1919, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 14 bottles of Prescription 1000 Internal, remaining unsold in the original unbroken packages at Cairo, Ill., consigned by the Reese Chemical Co.,

Cleveland, Ohio, on or about April 15, 1919, and alleging that the article was transported from the State of Ohio into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a slightly alkaline emulsion of balsam of copaiba flavored with methyl salicylate.

Misbranding of the article was alleged for the reason that the statements, regarding the curative and therapeutic effects of the article and the ingredients and substances contained therein, on the label on the carton containing, and in the circular accompanying the article, to wit, "Prescription 1000 Internal is the most efficient treatment for Gleet and Gonorrhœa * * * new discovery for Gonorrhœa and Gleet * * * also very good treatment for Bladder Trouble, Frequent Urination, Inflammation * * * " and "Prescription 1000 Internal for Gonorrhœa, Gleet, Bladder Trouble, Frequent Urination, Inflammation * * * continue taking Prescription 1000 for several weeks after the discharge stops and follow directions closely to insure permanent relief," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On December 22, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7663. Misbranding of Halz Tablets. U. S. * * * v. 8 Bottles of Halz Tablets. Default decree of condemnation, forfeiture, and destruction.
(F. & D. No. 11424. I. S. No. 7555-r. S. No. C-1514.)

On October 6, 1919, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 bottles of Halz Tablets, remaining unsold in the original unbroken packages at Ottumwa, Iowa, alleging that the article had been shipped on or about April 12, 1918, by the Ed. Price Chemical Co., Kansas City, Mo., and transported from the State of Missouri into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of carbonates of calcium and magnesium, resins, and plant material including cubebs, rhubarb, and aromatics.

Misbranding of the article was alleged in the libel for the reason that on the label on the bottle containing, on the carton inclosing, and in the circular accompanying the article were statements regarding the curative and therapeutic effects of the article, to wit, (bottle) "Halz Tablets Internal Remedy for the relief of kidney, bladder and urinary disorders. For gonorrhœa and gleet use Halz Injection in connection with the tablets and get quick results," (carton) "* * * either sex. Recommended in all cases wherein an internal treatment is preferred * * * reaches the disease through the kidneys and bladder soothing and healing the mucous membranes * * * does not contain anything that injures the digestive organs * * * can be taken without fear of ill effects," (circular) "For Gonorrhœa and Gleet, Whites, Leucorrhœa and Unnatural Discharges either sex * * * Halz Tablets * * * will be sufficient to cure an ordinary case * * * for pain in the back * * * cystitis, continence or incontinence of urine * * * the discharge

should cease in a few days after you commence to take the tablets * * *," which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed for it.

On March 9, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7664. Misbranding of Halz Injection. U. S. * * * v. 49 Bottles of Halz Injection. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11420. I. S. No. 7549-r. S. No. C-1513.)

On or about October 2, 1919, the United States attorney for the Eastern District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 49 bottles of Halz Injection, remaining unsold in the original unbroken packages at Tulsa, Okla., alleging that the article had been shipped on December 3, 1917, by the Ed. Price Chemical Co., Kansas City, Mo., and transported from the State of Missouri into the State of Oklahoma, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel for the reason that on the labels on the packages containing, on the cartons inclosing, and in the circulars accompanying the article were statements regarding the curative and therapeutic effects of the article, to wit, (bottle) "Halz * * * cures Gonorrhœa and Gleet * * *," (carton) "Halz * * * for Gonorrhœa and Gleet, Whites, Leucorrhœa, and Unnatural Discharges, either sex * * * It has never been known to cause stricture, and it generally cures in from one to five days * * *. The first injection relieves almost instantly, and the continued use has cured bad cases in a few days * * *. Halz for Gonorrhœa and Gleet * * *. We have so proportioned and combined the ingredients both chemically and medicinally that we get quick results * * *," (circular) "Directions * * *. While our preparation is known as a Gonorrhœa medicine, it is also good for Leucorrhœa and Whites * * *. The thing to do is to continue the use of it until well and use it night and morning for a while after; usually one or two dollar bottles will relieve," which were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for the article.

It was further misbranded, it was alleged, for the reason that the article was a diluted aqueous solution of alum, boric acid, glycerin, zinc-sulphate, and formaldehyde, which ingredients, or any combination of them, were not capable of producing the curative and therapeutic effects claimed for the article.

On January 28, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7665. Misbranding of Madame Dean Antiseptic Vaginal Suppositories. U. S. * * * v. 30 Packages and 10 Packages of Madame Dean Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11247, 11248. I. S. Nos. 7322-r, 7321-r. S. Nos. C-1469, C-1470.)

On September 20, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district libels for the seizure and condemnation of 40 packages of Madame Dean Antiseptic Vaginal Suppositories, remaining unsold in the original unbroken packages at Indianapolis, Ind., consigned on or about July 25, 1919, and March 31, 1919, by Martin Rudy, Lancaster, Pa., alleging that the article had been transported from the State of Pennsylvania into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the suppositories consisted of cacao butter, salts of bismuth, potassium, and aluminum, sulphates, boric acid, tannin, and unidentified plant material.

Misbranding of the article was alleged for the reason that the statements on the label on the carton containing, and in the circular and booklet accompanying the article, regarding its curative and therapeutic effects, to wit, "Madame Dean Antiseptic Vaginal Suppositories for the relief of Vaginitis, Gonorrhœal Inflammation, Leucorrhœal Discharges, Inflammation, Congestion and Ulceration of the Vagina," "Madame Dean Antiseptic Vaginal Suppositories for the relief of Leucorrhœa or Whites, Gonorrhœa, Inflammation, Congestion, Ulceration, and similar Female Complaints * * *," "Madame Dean Antiseptic Vaginal Suppositories for the relief of Vaginitis, Vulvitis, Gonorrhœal Inflammation, Leucorrhœal Discharges, Inflammation, Congestion and Ulceration of the Vagina * * *," and "A Friend in Need is a Friend Indeed Madame Dean Antiseptic Vaginal Suppositories An effectual Suppository for the relief of Leucorrhœa or Whites, Gonorrhœa and similar Female Complaints," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the results claimed for the article.

On February 24, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7666. Misbranding of Madame Dean Antiseptic Vaginal Suppositories.
U. S. v. 5½ Dozens of Madame Dean Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11406. I. S. No. 17278-r. S. No. E-1772.)

On September 27, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5½ dozens of Madame Dean Antiseptic Vaginal Suppositories, remaining unsold in the original unbroken packages at Baltimore, Md., consigned on or about July 2 and September 24, 1918, and alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories were composed essentially of cacao butter, salts of bismuth and aluminum, sulphates, boric acid, tannin, and unidentified vegetable matter.

Misbranding of the article was alleged for the reason that the statements on the label on the carton containing, on the wrapper inclosing, and in the circular accompanying the article, regarding its curative and therapeutic effects, to wit, (carton) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Vaginitis, Vulvitis, Gonorrhœal Inflammation, Leucorrhœal Discharges, In-

flammation, Congestion and Ulceration of the Vagina," (wrapper) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Leucorrhœa or Whites, Gonorrhœa, Inflammation, Congestion, Ulceration, and Similar Female Complaints * * *," (circular) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Vaginitis, Vulvitis, Gonorrhœal Inflammation, Leucorrhœal Discharges, Inflammation, Congestion and Ulceration of the Vagina," (booklet) "A friend in Need is a Friend Indeed Madame Dean Antiseptic Vaginal Suppositories An effectual Suppository for the relief of Leucorrhœa or Whites, Gonorrhœa, and similar Female Complaints," were false and fraudulent in that the article did not contain any ingredients or combination of ingredients capable of producing the results claimed for the article.

On October 31, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7667. Misbranding of Stearns' Santaloids. U. S. * * * v. 24 Dozen Boxes of Stearns' Santaloids. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11391. I. S. No. 2668-r. S. No. W-516.)

On October 3, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 dozen boxes of Stearns' Santaloids, remaining unsold in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped on July 27, 1918, by Frederick Stearns & Co., Detroit, Mich., and transported from the State of Michigan into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of gelatin capsules containing oil of santal.

Misbranding of the article was alleged for the reason that the statements on the label on the bottle containing, and on the carton inclosing the article, regarding its curative and therapeutic effects, to wit, (carton) "Stearns' Santaloids * * * is a popular agent in treatment of gonorrhœa and inflammation of mucous membranes," (bottle) "Stearns' Santaloids 40 capsoids * * * is a popular agent in the treatment of gonorrhœa etc.," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the results claimed for the article.

On November 12, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7668. Misbranding of Milks Emulsion. U. S. * * * v. 504 Large Bottles and 528 Small Bottles of Milks Emulsion. U. S. * * * v. etc. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 11234, 11235, 11386, 11387, 11388, 11389, 11397, 11398, 11462, 11463, 11464, 11465. I. S. Nos. 15131-r, 15132-r, 15133-r, 15134-r, 15136-r, 15137-r, 15138-r, 15139-r, 15140-r, 15141-r, 15147-r, 15148-r, 15150-r, 15121-r, 15122-r, 15156-r, 15157-r, 15159-r, 15160-r, 15161-r. S. Nos. E-1709, E-1710, E-1778, E-1779, E-1780, E-1781, E-1802, E-1803, E-1810, E-1811, E-1812, E-1820.)

On September 19, October 7, October 8, and October 6, 1919, the United States attorney for the Eastern District of Pennsylvania, acting upon a

report by the Secretary of Agriculture, filed in the District Court of the United States for said district 11 libels for the seizure and condemnation of 1,265 large-size bottles and 2,034 small-size bottles of Milks Emulsion, remaining unsold in the original unbroken packages at the cities of Chester, Lancaster, and Philadelphia, Pa., alleging that the article had been shipped on or about May 5, May 27, June 12, and June 30, 1919, and between May 13, and August 19, 1919, and between May 8, and August 14, 1919, and between August 27, and September 6, 1919, consigned by Milks Emulsion Co., Terre Haute, Ind., and transported from the State of Indiana into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it consisted essentially of petrolatum, together with small amounts of glycerin, sirup, and methyl salicylate. Fats were absent. The contents of the packages labeled "Net weight 29 ounces" varied in weight from 19.9 ounces to 21.3 ounces, a deficiency of from 26.55 to 31.38 per cent. The contents of the packages labeled "Net weight 12 ounces" varied in weight from 8.15 ounces to 9.15 ounces, a deficiency of from 23.75 to 32.05 per cent.

It was alleged in substance in the libels that the article was misbranded for the reason that the statements on the labels on the bottles containing, and on the cartons inclosing the article, regarding the curative and therapeutic effects of the article and the ingredients or substances contained therein, to wit, (bottle, both sizes) "A valuable remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, * * * bronchial asthma, catarrhal croup, bronchitis * * *. Especially beneficial in incipient consumption," (carton, both sizes) "A valuable remedy for dyspepsia, indigestion, catarrh of the stomach and bowels, * * * coughs due to sore throat, bronchitis or pneumonia, incipient consumption, bronchial asthma, catarrhal croup. * * * strengthens the digestive organs, * * * enriching the blood and increasing the flesh. It gives relief in curable throat, lung, stomach and bowel troubles, cleans and heals the afflicted parts and enables the machinery of the body to do its work properly, thus restoring strength and flesh and contributing to perfect health. * * * It is very beneficial in incipient consumption, * * * coughs due to sore throat, bronchitis or pneumonia, bronchial asthma, dyspepsia, indigestion, catarrh of the stomach and bowels * * * Especially beneficial in the ills of children. It builds up their system, enriches their blood, improves the appetite, strengthens the throat, lungs and stomach, which are only too often the cause of croupy, weak and puny children. Milks Emulsion relieves catarrhal croup, and several doses given during the day will prevent it. Thousands of mothers endorse Milks' Emulsion because it strengthens their children as nothing else has ever done, thus rendering them less liable to many of the contagious diseases so common among children," were false and fraudulent in that the article would not produce the effects claimed for it and that these effects were claimed for the article with a knowledge of their falsity for the purpose of defrauding the purchasers of the article.

The article was further misbranded for the reason that the labels on the bottle containing, and on the carton inclosing the article, regarding the article, bore the statements, to wit, (large-size carton) "Net Weight 29 ounces," (small-size carton) "Net Weight 12 ounces. Milks Emulsion contains a great amount of fat," which were false and misleading in that the large size contained less than 29 ounces net weight, and the small size less than 12 ounces net weight of the article, and because the article contained no fat.

After appearance of the Milks Emulsion Co., as claimant, an order consolidating 10 of the libels was entered, and on December 30, 1919, and January

26, 1920, judgments of condemnation and forfeiture were entered by consent, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of bonds in the sum of \$2,000 in the consolidated case and \$500 in the other, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7669. Misbranding of D. D. D. * * * Ordinary and D. D. D. * * * Strong. U. S. * * * v. D. D. D. Co., a Corporation. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 6239. I. S. Nos. 7912-e, 7160-e.)

On July 27, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information, and on January 12, 1916, an amended information, against the D. D. D. Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on January 27, 1913, from the State of Illinois into the State of Ohio, of a quantity of an article, labeled in part "D. D. D. Prescription for the Skin and Scalp. Ordinary Strength," and on January 14, 1913, from the State of Illinois into the State of Tennessee, of a quantity of an article, labeled in part "D. D. D. Prescription for the Skin Extra Strong," each of which was misbranded.

Analysis of a sample of the D. D. D. Ordinary by the Bureau of Chemistry of this department showed that it consisted essentially of a hydro-alcoholic solution of chloral hydrate, methyl salicylate, salicylic acid, thymol, phenol, glycerin, and yellow coloring matter, that 7.7 grains of chloral hydrate were present per fluid ounce, and that there was present 32.0 per cent of alcohol by volume.

Misbranding of this article was alleged in substance in the information for the reason that the following statement, regarding the curative and therapeutic effects thereof, appearing on the labels aforesaid, to wit, (bottle) "This bottle contains Ordinary, which is to be used until cure is effected in all cases of Weeping Eczema and in all cases of skin disease affecting the hands, face, head, neck, feet, privates," was false and fraudulent in this, that the said statement was applied to said article of drugs knowingly and with the intent to represent, and did so represent, to the purchasers of said article of drugs, and with the intent to create, and did so create, in the minds of such purchasers, the impression and belief that the said article of drugs would cure all cases of weeping eczema and all cases of skin disease affecting the hands, face, head, neck, feet, and privates, whereas, in truth and in fact, the said article of drugs would not cure all cases of weeping eczema or all cases of skin disease affecting the hands, face, head, neck, feet, or privates, and for most cases of weeping eczema and skin disease affecting the hands, face, head, neck, feet, and privates, the said article of drugs would be ineffective to produce a cure, and in the treatment of many cases of weeping eczema and skin disease affecting the hands, face, head, neck, feet, and privates, the said article of drugs would be harmful when used according to the directions accompanying said article of drugs, and the said statement was by the said defendant then and there applied to the said article of drugs with the intent to deceive the purchasers thereof, by representing to, and creating in the minds of, such purchasers the impression and belief that the said article of drugs would cure all cases of weeping eczema and all cases of skin disease affecting the hands, face, head, neck, feet, and privates, whereas, in truth and in fact, the said article of drugs would not cure all cases of weeping

eczema or all cases of skin disease affecting the hands, face, head, neck, feet, or privates, and for most cases of weeping eczema and skin disease affecting the hands, face, head, neck, feet, or privates the said article of drugs would be ineffective to produce a cure, and in the treatment of many cases of weeping eczema and skin disease affecting the hands, face, head, neck, feet, and privates the said article of drugs would be harmful when used according to the directions accompanying said article of drugs.

Misbranding was alleged for the further reason that the following statement, regarding the curative and therapeutic effects of said article of drugs, appearing on the labels aforesaid, to wit, (carton) "Remedy for Eczema and all Diseases of the skin and scalp. Ordinary Strength * * * A few of the Skin Diseases for which D. D. Remedy is invaluable Eczema in all its forms Psoriasis * * * Dandruff * * * Erysipelas * * * Lichen Ruber, Lichen Planus * * *," was false and fraudulent in this, that the said statement was applied to said article of drugs knowingly and with the intent to represent, and did so represent, to the purchasers of said article of drugs, and with the intent to create, and did so create, in the minds of such purchasers, the impression and belief that the said article of drugs would be an invaluable remedy for eczema in all its forms, whereas, in truth and in fact, the said article of drugs would not be an invaluable remedy for eczema in all its forms, and for most forms of eczema the said article of drugs would be ineffective as a remedy, and in the treatment of many forms of eczema the said article of drugs would be harmful when used according to the directions accompanying said article of drugs, and the said statement was by the said defendant then and there applied to the said article of drugs with the intent to deceive the purchasers thereof, by representing to, and creating in the minds of, such purchasers, the impression and belief that the said article of drugs would be an invaluable remedy for eczema in all its forms, whereas, in truth and in fact, the said article of drugs would not be an invaluable remedy for eczema in all its forms, and for most forms of eczema the said article of drugs would be ineffective as a remedy, and in the treatment of many forms of eczema the said article of drugs would be harmful when used according to the directions accompanying said article of drugs.

Misbranding was alleged for the further reason that the following statement, regarding the curative and therapeutic effects of the article, appearing on the labels aforesaid, to wit, (carton) "Remedy for Eczema and all Diseases of the skin and scalp. Ordinary strength * * * A few of the Skin Diseases for which D. D. Remedy is invaluable Eczema in all its forms * * * Dandruff * * * Erysipelas * * * Lichen Ruber, Lichen Planus * * *," was false and fraudulent in this, that the said statement was applied to said article of drugs knowingly and with the intent to represent, and did so represent, to the purchasers of said article of drugs, and with the intent to create, and did so create, in the minds of such purchasers, the impression and belief that the said article of drugs would cure eczema, whereas, in truth and in fact, the said article of drugs would not cure eczema, and for most cases of eczema the said article of drugs would be ineffective to produce a cure, and the said statement was by the said defendant then and there applied to the said article of drugs with the intent to deceive the purchasers thereof, by representing to, and creating in the minds of, such purchasers, the impression and belief that the said article of drugs would cure eczema, whereas, in truth and in fact, the said article of drugs would not cure eczema, and for most cases of eczema the said article of drugs would be ineffective to produce a cure.

Misbranding was alleged for the further reason that the following statement, regarding the curative and therapeutic effects of said article of drugs, appearing on the labels aforesaid, to wit, (carton) "Remedy for Eczema and all Diseases of the skin and scalp. Ordinary Strength * * * A few of the Skin Diseases for which D. D. D. Remedy is invaluable Eczema in all its forms Psoriasis * * * Dandruff * * * Erysipelas * * * Lichen Ruber Lichen Planus * * *," was false and fraudulent in that said statement was applied to the article of drugs knowingly and with the intent to represent, and did so represent, to the purchasers of said article of drugs, and with the intent to create, and did so create, in the minds of such purchasers, the impression and belief that the said article of drugs would be an invaluable remedy for psoriasis, dandruff, erysipelas, lichen ruber, and lichen planus, whereas, in truth and in fact, the said article of drugs would not be an invaluable remedy for psoriasis, dandruff, erysipelas, lichen ruber, or lichen planus, nor any remedy whatsoever for psoriasis, dandruff, erysipelas, lichen ruber, or lichen planus, and the said statement was by the said defendant then and there applied to the said article of drugs with the intent to deceive the purchasers thereof, by representing to, and creating in the minds of such purchasers the impression and belief that the said article of drugs would be an invaluable remedy for psoriasis, dandruff, erysipelas, lichen ruber, and lichen planus, whereas, in truth and in fact, the said article of drugs would not be an invaluable remedy for psoriasis, dandruff, erysipelas, lichen ruber, or lichen planus, nor any remedy whatsoever for psoriasis, dandruff, erysipelas, lichen ruber, or lichen planus.

Analysis of a sample of the D. D. D. Extra Strong by said Bureau of Chemistry showed that it consisted essentially of a hydro-alcoholic solution of methyl salicylate, salicylic acid, chloral hydrate, glycerin and phenol, and that 35.1 per cent of alcohol by volume was present.

Misbranding of this article was alleged for the reason that the following statement, regarding the curative or therapeutic effects thereof, appearing on the labels aforesaid, to wit, (bottle) "There are two D. D. D. Prescriptions: D. D. D. Ordinary and D. D. D. Strong. This bottle contains D. D. D. Strong and we recommend that two or three bottles of the Ordinary be used before commencing with the Strong. The Strong has been prepared specially for Chronic Dry Eczema and Psoriasis when confined to the trunk of the body, arms and legs," was false and fraudulent in this, that the said statement was applied to said article of drugs knowingly and with the intent to represent, and did so represent, to the purchasers of said article of drugs, and with the intent to create, and did so create, in the minds of such purchasers, the impression and belief that the said article of drugs would cure chronic dry eczema, when said disease should be confined to the trunk of the body, arms and legs, and when used after applying the contents of 3 bottles of the article of drugs known as "D. D. D. Prescription for the Skin and Scalp Ordinary Strength," whereas, in truth and in fact, the said article of drugs would not cure chronic dry eczema, when said disease should be confined to the trunk of the body, arms and legs, and when used after applying the contents of 3 bottles of the article of drugs known as "D. D. D. Prescription for the Skin and Scalp Ordinary Strength," and for most cases of chronic dry eczema the said article of drugs would be ineffective to produce a cure, and in the treatment of many cases of chronic dry eczema the said article of drugs would be harmful when used according to the directions accompanying said article of drugs, and the said statement was by the said defendant then and there applied to the said article of drugs with the intent to deceive the purchasers thereof by representing to, and creating in the minds of such purchasers the impression and belief that the said article of

drugs would cure all cases of chronic dry eczema, when said disease should be confined to the trunk of the body, arms, and legs, and when used after applying the contents of 3 bottles of the article of drugs known as "D. D. D. Prescription for the Skin and Scalp Ordinary Strength," whereas, in truth and in fact, the said article of drugs would not cure chronic dry eczema when said disease should be confined to the trunk of the body, arms, and legs, and when used after applying the contents of 3 bottles of the article of drugs known as "D. D. D. Prescription for the Skin and Scalp Ordinary Strength," and for most cases of chronic dry eczema the said article of drugs would be ineffective to produce a cure, and in the treatment of many cases of chronic dry eczema the said article of drugs would be harmful when used according to the directions accompanying said article of drugs.

On March 31, 1920, the defendant company entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$50 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7670. Adulteration of baled hay. U. S. * * * v. 37,830 Pounds of Baled Hay. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10020. I. S. Nos. 16336-r, 17639-r. S. No. E-1299.)

On April 14, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 37,830 pounds of baled hay, remaining unsold in the original unbroken packages at Stillmore, Ga., alleging that the article had been shipped on or about February 22, 1919, by R. H. Atwood & Co., St. Louis, Mo., and transported from the State of Missouri into the State of Georgia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that the article consisted in whole or in part of a filthy, decomposed vegetable matter, said hay being at the time of said shipment and at the time of the filing of the libel in large part in a moldy and rotten condition.

On September 30, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the article be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7671. Misbranding of Wilson's Solution Anti-Flu. U. S. * * * v. 27 Boxes of Wilson's Solution Anti-Flu. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9994. I. S. No. 7024-r. S. No. C-1143.)

On April 4, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 27 boxes of Wilson's Solution Anti-Flu, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about November 13, 1918, by Cooper Medicine Co., Dayton, Ohio, and transported from the State of Ohio into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Wilson's Solution Trade Anti-Flu Mark A Powerful Antiseptic to be used as a preventive against Influenza, Colds and Grip. A few drops inhaled from handkerchief disinfects nose and throat. To make spraying solution for nose and throat add 10 drops Wilson's

Solution to one tablespoonful olive oil. For Sore Throat and "Soreness in chest make rubbing ointment by mixing one-half teaspoonful with tablespoonful of vaseline G. F. Willis Co., Atlanta, Ga. Distributor."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of eucalyptol and methyl salicylate, and a small amount of turpentine.

Misbranding of the article was alleged in substance for the reason that the statements appearing on said label, regarding the curative and therapeutic effects of the article, were false and fraudulent.

On March 25, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7672. Misbranding of Pabst's Okay Specific. U. S. v. 3 Dozen Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9884. I. S. No. 7058-r. S. No. C-1104.)

On March 13, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles of a product, labeled in part "Pabst's Okay Specific," remaining unsold in the original unbroken packages at Fort Wayne, Ind., alleging that the article had been shipped on or about February 4, 1919, by the Pabst Chemical Co., Chicago, Ill., and transported from the State of Illinois into the State of Indiana, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Wrapper) "Pabst's Okay Specific for Gonorrhœa, Gleet, Urethritis and Chronic Mucous Discharges;" (bottle) "Pabst's * * * Okay Specific for Gonorrhœa, Gleet, Urethritis and Chronic Mucous Discharges;" (circular, page 1) "Pabst's Okay Specific A well known treatment for gonorrhœa and gleet, urethritis and chronic mucous discharges * * * Where others have been unable to make good their claims, Pabst's Okay Specific has succeeded in giving complete and permanent relief. In new cases a few doses will afford great relief, allay the smarting and inflammation and continued treatment will soon bring about the desired results, while in old cases it will usually relieve and overcome chronic discharges of long standing;" (page 2) "Pabst's Okay Specific * * * each bottle has effected a cure. You have an exceptional remedy. * * *;" (page 3) "Pabst's Okay Specific. A well known treatment for Gonorrhœa and Gleet, Urethritis and Chronic Mucous Discharges. Taken according to directions this medicine is absolutely safe and harmless. If the Okay Specific is properly and persistently taken a cure usually follows, no matter how old or how serious the case may be;" (page 4) "Gleet:—Pabst's Okay Specific is especially recommended in cases of Gleet or Chronic Gonorrhœa;" (page 6 in German contains the same false and fraudulent statements as noted on pages 3 and 4); (page 8) * * * the highest medical authority in Europe * * * (Professor Dr. Matterstock of the University of Wuerzburg, Germany) * * * Now, what Prof. Matterstock is teaching, we have for many years demonstrated to the medical and pharmaceutical profession. We have demonstrated that internal treatment with Pabst's Okay Specific is not only a safe treatment for gonorrhœa and gleet, but that it is the correct treatment. Moreover, we have clearly shown by the views of eminent authority that gonorrhœa in all stages, from the mildest to the most aggravated and chronic form, can be cured without injections. * * *."

Analysis of samples of the product made in the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, oil of peppermint, a laxative plant drug, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that certain statements appearing on the label, regarding the curative and therapeutic effects of the article for the treatment and cure of gonorrhœa, gleet, urethritis, and chronic mucous discharges, were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed for it.

On January 2, 1920, no claimant having appeared for the property, a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7673. Misbranding of Knoxit. U. S. v. 12 Dozen Bottles of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10025. I. S. No. 7806-r. S. No. C-1154.)

On April 12, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 12 dozen bottles of Knoxit, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about February 28, 1919, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "3½ Oz. Knoxit Liquid The Great Prophylactic Call For By Name Only. Avoid Substitutes. Prepared by Beggs Manufacturing Co. Chicago-Toronto Price \$1.00 Beware of Substitutes. Owing to the Efficacy and consequent popularity of Knoxit, there are naturally many frauds and imitations. Therefore we caution you against substitutes. Directions Inside * * *." The following statements appeared on carton and bottle label, in part: (Shipping container for 6 bottles) "Knoxit in five days safe cure guaranteed, try it. Knoxit the Great Prophylactic and remedy;" (carton) "Knoxit the Great Prophylactic for inflammation of the mucous membranes;" (bottle) "Knoxit * * * the Great Prophylactic;" (circular) "Knoxit * * * A highly efficacious remedy used in the treatment of catarrhal affections of the eye, nose, and throat and inflammation of the mucous membranes. It is also beneficial in the treatment of hemorrhoids, ulcers, and cankers, for the eye * * * for the nose * * * for the throat * * * for ulcers and hemorrhoids, for other mucous irritations * * *."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted essentially of zinc acetate, alkaloids of hydrastis, glycerin, and water perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing upon the carton, bottle label, and shipping container and in the circular accompanying the packages, regarding the curative and therapeutic effects of the article as a prophylactic and remedy for inflammation of the mucous membranes, catarrhal affections of the eye, nose, throat, hemorrhoids, ulcers, cankers, and other mucous irritations, were false and fraudulent, in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it.

On March 26, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

7674. Misbranding of Knoxit. U. S. v. 48 Dozen Bottles of Knoxit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10080. I. S. No. 7803-r. S. No. C-1155.)

On April 12, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 dozen bottles of Knoxit, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about September 23, 1918, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Missouri, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part: (Bottle) "Knoxit * * * The Great Prophylactic and Gonorrhœa Remedy. Will not cause stricture * * * Knoxit is invaluable for Leucorrhœa or Whites * * * If Knoxit is used directly after connection it will prevent disease;" (circular) "Knoxit a highly efficacious remedy in the treatment of catarrhal affections of the eye, nose, throat, genito-urinary organs, etc. It is also beneficial in the treatment of inflammation, hemorrhoids, ulcers * * *. Knoxit can be used with absolute confidence * * * For the Eye * * * Throat * * * Ulcers and Hemorrhoids * * * for Gonorrhœa * * *;" (circular, 2nd page) "Gonorrhœa in Women * * * Leucorrhœa (Whites);" (circular, last page, testimonial of S. D. Brown) "Knoxit * * * it cured me of a long standing case of about two years' duration and I only used one bottle of it."

Analysis of the product made by the Bureau of Chemistry of this department showed that it consisted essentially of zinc acetate, hydrastis, glycerin, and water perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that the foregoing statements, regarding the curative and therapeutic effects of the article, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On March 27, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7675. Adulteration of tomato sauce. U. S. v. 156 Cases of Tomato Sauce. Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. & D. No. 9632. I. S. No. 14272-r. S. No. E-1220.)

On January 27, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 156 cases of tomato sauce, each containing 200 cans, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about October 14, 1918, by the Serto Packing Co., Centreville, Md., and transported from the State of Maryland into the State of New York, and charging adulteration under the Food and Drugs Act. Said article was labeled in part, "Serto Brand Tomato Sauce."

Adulteration of the article was alleged in the libel for the reason that said article consisted in part of a filthy, decomposed, and putrid vegetable substance, particularly in that it contained molds, yeasts, spores, bacteria, and moldy tissue.

On April 22, 1920, Scaramelli & Co., Inc., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7676. Adulteration and misbranding of acetylsalicylic acid tablets (aspirin) and acetanilid tablets. U. S. v. 10 Boxes of Acetylsalicylic Acid Tablets (Aspirin) and 2 Boxes of Acetanilid Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9558. I. S. Nos. 16044-r, 16045-r. S. No. E-1196.)

On December 31, 1918, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 boxes of a product labeled "1,000 (5 gr.) Acetylsalicylic Acid Tablets 'Aspirin,'" and 2 boxes of a product labeled "2,000 Acetanilid 5 Gr. Tablets," remaining unsold in the original unbroken packages at Collins, Ga., alleging that the article had been shipped on or about November 14, 1918, by the Verandah Chemical Co., Brooklyn, N. Y., and transported from the State of New York into the State of Georgia, and charging adulteration and misbranding under the Food and Drugs Act. Said articles were labeled, "1,000 (5 gr.) Acetylsalicylic Acid Tablets 'Aspirin' Verandah Chemical Co., Verandah Place, Brooklyn, N. Y.," and "2,000 Acetanilid 5 Gr. Tablets."

Analyses of samples of the product by the Bureau of Chemistry of this department showed that the tablets labeled "5 gr. acetylsalicylic acid" contained 0.46 grain acetylsalicylic acid, and that the tablets labeled "Acetanilid 5 gr." contained 1.28 grains acetanilid.

Adulteration of the articles was alleged in the libel for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that each of the acetylsalicylic acid tablets contained less than $\frac{1}{2}$ grain of aspirin or acetylsalicylic acid, and each of the acetanilid tablets contained less than 1.3 grains of acetanilid. Further adulteration of the acetanilid tablets was alleged for the reason that they were sold under a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined in tests laid down in said Pharmacopœia, official at the time of the investigation.

Misbranding of the acetylsalicylic acid tablets was alleged in the libel for the reason that the above-quoted labeling was false and misleading, since each of the tablets contained less than $\frac{1}{10}$ of the amount of aspirin or acetylsalicylic acid claimed on the label, and that the product was an imitation of, and was offered for sale under the name of, another article, to wit, "5 gr. Acetylsalicylic Acid Tablets, Aspirin." Misbranding of the acetanilid tablets was alleged in the libel for the reason that the label failed to bear a statement of the quantity or proportion of acetanilid contained in said tablets, and that the product was an imitation of, and offered for sale under the distinctive name of, another article, to wit, "5 Gr. Acetanilid Tablets."

On September 30, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7677. Misbranding of Pratt's Hog Cholera Specific. U. S. v. 6 Pails * * * of Pratt's Hog Cholera Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9674. I. S. No. 5711-r. S. No. C-1049.)

On February 5, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 pails, each containing 12 pounds of a product, labeled in part "Pratt's Hog Cholera Specific," remaining unsold in the original unbroken packages at Logansport, Ind., alleging that the article had been shipped on or about August 31, 1918, by the Pratt Food Co., of Philadelphia, Pa., from its branch office at Chicago, Ill., and transported from the State of Illinois into the State of Indiana, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Blood purifier Hog Cholera is never known when Pratt's Hog Cholera Specific is used. It is a positive preventative and unless the hog is in the last stages of the disease if properly used, it will positively cure it. * * * For disease In case of any disease among the hogs follow same directions as given for Hog Cholera as Pratt's Hog Cholera Specific is a sure remedy for Thumps, Diphtheria, Scours, Catarrh, Rheumatism, Apoplexy."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of fenugreek, charcoal, sulphur, sodium chlorid, and unidentified plant material.

Misbranding of the article was alleged in substance in the libel for the reason that the foregoing statements, regarding the curative and therapeutic effects of the product, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On January 2, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7678. Adulteration and misbranding of santal oil. U. S. v. 8 Boxes * * * of Santal Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9678. I. S. No. 5886-r. S. No. C-1054.)

On February 6, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 8 boxes, each containing 100 capsules of a product, labeled in part "Santal Oil," remaining unsold in the original unbroken packages at Indianapolis, Ind., alleging that the article had been shipped on or about October 4, 1918, by the Evans Drug Mfg. Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Indiana, and charging adulteration and misbranding under the Food and Drugs Act. The article was labeled in part, "100 Soluble Elastic Capsules Guaranteed Weather-Proof and Non-Collapsible Santal Oil East India 10 Min. R. Each Capsule Contains Sandalwood Oil 10 Min. East India Evans Drug Mfg. Co. Incorporated Soft Capsules Greensburg, Pa."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that the average contents of 50 capsules was 8.1 minims of a mixture of santal oil with approximately 74 per cent of cottonseed oil.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and did not comply with the tests therein laid down, and for the further reason that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged in the libel for the reason that the statements above quoted were false and misleading in that the product was an imitation of, and offered for sale under the name of, another article.

On January 2, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and on February 24, 1920, it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7679. Adulteration and misbranding of orange-julep sirup. U. S. v. $\frac{1}{2}$ Barrel, Containing a Product Purporting to be Orange-Julep Sirup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10024. I. S. No. 7923-r. S. No. C-1150.)

On April 12, 1919, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of $\frac{1}{2}$ barrel, containing a product purporting to be orange-julep sirup, remaining unsold in the original unbroken package at Columbus, Ind., said article having been shipped on or about March 12, 1919, by the Southern Fruit Julep Co., Chicago, Ill., and transported from the State of Illinois into the State of Indiana, and charging adulteration and misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Howel's Orange-Julep Sirup Non-intoxicating Artificially Colored Contains $\frac{1}{2}$ of 1% Benzoate of Soda" (design of oranges on branch with flowers and the words "Trade Mark Howel's Orange-Julep") "Made From Fresh Ripe Fruit Southern Fruit Julep Company. Fort Worth, Texas—Chicago, Illinois—Atlanta, Ga."

Adulteration of the article was alleged in the libel in substance for the reason that an artificially colored product composed of sugar sirup and water had been substituted for a product made from fresh ripe oranges, which the article purported to be, and said article was artificially colored in a manner whereby its inferiority was concealed.

Misbranding of the article was alleged in the libel for the reason that it was labeled and branded as aforesaid so as to deceive and mislead the purchaser thereof into believing that the product in said $\frac{1}{2}$ barrel was pure orange-julep sirup when, in fact, said product was an imitation of pure orange-julep sirup, and for the further reason that said product was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, orange-julep sirup. Further misbranding of the article was alleged for the reason that it was food in package form and the quantity of the contents was not plainly and correctly stated on the outside of the barrel in terms of weight or measure.

On January 2, 1920, no claimants having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7680. Adulteration and misbranding of pepper. U. S. * * * v. The Woolson Spice Co., a corporation. Plea of nolo contendere. Fine, \$200 and costs. (F. & D. No. 7334. I. S. Nos. 4634-k, 11191-k, 11763-k, 11767-k, 11770-k, 11771-k, 11774-k, 14146-k, 14148-k, 14289-k, 14549-k, 14725-k, 14726-k, 14732-k, 14733-k, 14734-k, 14737-k, 14738-k.)

On September 9, 1916, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Woolson Spice Co., a corporation, Toledo, Ohio, alleging shipment on or about March 10, 1915, February 19, 1915, February 27, 1915, March 29, 1915, March 15, 1915, February 11, 1915, April 12, 1915, February 23, 1915, March 2, 1915, March 14, 1915, March 3, 1915, April 1, 1915, April 3, 1915, and February 25, 1915, by the said company, in violation of the Food and Drugs Act, from the State of Ohio into the States of Indiana, Wisconsin, Nebraska, Minnesota, Tennessee, Illinois, and Iowa, of quantities of articles, labeled in part "Atlas Pepper," "Paradise Farm Brand Pepper," "Granulated Black Pepper," "Kickbusch K Spices," "Banner Brand Pepper," "Powers Strictly Pure Pepper," "Hermitage Pepper," "Comar Brand Spices," "Golden Rod Brand Pepper," and "Acme Pepper," which were adulterated and misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that they contained added pepper shells.

Adulteration of the article in each shipment was alleged in the information for the reason that a substance, to wit, pepper shells, had been mixed and packed with the article so as to lower or reduce and injuriously affect its quality and strength, and was adulterated further in that a substance, to wit, pepper shells, had been substituted in part for pepper, which it purported to be.

Misbranding of the article in each shipment was alleged for the reason that the statement, "Pepper," borne on the label of the package containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article consisted exclusively of pepper, whereas, in truth and in fact, the article did not consist exclusively of pepper, but did consist of pepper and added pepper shells; said article was further misbranded in that it was labeled "Pepper" so as to deceive and mislead the purchaser into the belief that it was pure pepper containing no more shells than are normally present in pepper, whereas, in truth and in fact, it was not pure pepper containing a normal and natural proportion of pepper shells, but was a mixture of pepper and added pepper shells.

The defendant demurred to the information, and on October 22, 1920, on leave of the court, withdrew the demurrer and entered a plea of nolo contendere to the information, and the court imposed a fine of \$200 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7681. Adulteration and misbranding of canned salmon. U. S. * * * v. 180, 40, and 200 Cases of Canned Salmon. Default decree of condemnation, forfeiture, and destruction. Judgment for costs of the proceedings against F. C. Barnes Co., Portland, Ore. (F. & D. Nos. 9014, 9015, 9016. I. S. Nos. 3927-p, 3928-p. S. No. E-1035.)

On April 30, 1918, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 180 cases, each containing 48 cans, of 40 cases, each containing 48 cans, and of 200 cases, each containing 48 cans of fancy pink Alaska salmon, remain-

ing unsold in the original unbroken packages at Utica, N. Y., and at Little Falls, N. Y., alleging that the article had been shipped on or about December 1, 1917, by F. C. Barnes Co., Portland, Ore., and transported from the State of Oregon into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was labeled in part, "Fancy Pink Alaska Salmon Table Brand packed for F. C. Barnes Co. of Portland, Oregon. Contents 1 lb. Fresh Salmon, $\frac{1}{2}$ oz. Salt Sealed in can before cooking."

Adulteration of the article was alleged in the libels for the reason that it consisted in part of a decomposed animal substance, and was in fact decomposed, adulterated, filthy, unwholesome, and unfit for food by the human family, and deleterious and injurious to the health and life of any one partaking of the same.

Misbranding of the article was alleged for the reason that the statement, "Fancy Pink Alaska Salmon," on each can containing the article, [was] intended to convey and did convey and declare and say in such words that the contents of the cans consisted exclusively of fancy pink salmon which was fit for the human family, whereas the article contained in the cans was not fancy pink salmon and [was] not fit for use upon a table or otherwise as food, and that the statement, "Fancy Pink Alaska Salmon," was misleading and false and intended to and would deceive those purchasing and desiring to use the same.

On June 21, 1918, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the article be destroyed by the United States marshal, and that judgment be entered against F. C. Barnes Co., Portland, Ore., for the cost of the proceedings.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7682. Misbranding of acid acetylo-salicylic. U. S. * * * v. 1 Can Containing 25,000 Tablets * * * Acid Acetylo-Salicylic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7448. I. S. No. 11375-I. S. No. C-523.)

On May 18, 1916, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 can, containing 25,000 tablets of acid acetylo-salicylic, remaining unsold in the original unbroken packages at Martinsville, Ind., alleging that the article had been shipped by Ben. S. Levin, Los Angeles, Calif., and transported from the State of California into the State of Indiana, and charging misbranding in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets contained no acetylsalicylic acid and consisted essentially of milk sugar, starch, mineral matter, and 6.91 per cent acetanilid.

Misbranding of the article was alleged for the reason that the article was offered for sale and sold as acid acetylo-salicylic, whereas it was an imitation of, and contained no acid acetylo-salicylic. Further misbranding of the article was alleged for the reason that the article contained acetanilid and failed to bear a label showing the quantity of acetanilid which it contained.

On December 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7683. Adulteration and misbranding of acid acetylo-salic. U. S. * * * v. 48 Packages * * * of Acid Acetylo-salic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6823. I. S. No. 11302-1. S. No. C-299.)

On August 18, 1915, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 packages of Acid Acetylo-salic (acetylsalicylsauré), remaining unsold in the original unbroken packages at Terre Haute, Ind., alleging that the article had been shipped by H. M. Vaughan, Fayetteville, Ark., on August 2, 1915, in violation of the Food and Drugs Act, and transported from the State of Arkansas into the State of Indiana, and charging adulteration and misbranding.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets contained no acetylsalicylic acid and consisted mainly of milk sugar and mineral matter.

Adulteration was alleged for the reason that the article fell below the strength and purity or professed standard or quality under which it was sold.

Misbranding of the article was alleged in substance for the reason that the marks and brands on the packages, regarding the product, to wit, "Acid Acetylo-salic (acetylsalicylsauré)," were false and misleading in that the product was an imitation of the product which it purported to be. It was further misbranded in that the product was an imitation of and offered for sale under the name stated on the packages, to wit, "Acid Acetylo-salic (acetylsalicylsauré)," whereas it was not such.

On December 26, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7684. Misbranding of Knoxit Liquid. U. S. v. 4 Dozen Bottles and 42 Bottles * * * Knoxit Liquid * * *. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 10451, 10452. I. S. Nos. 2019-r, 2020-r. S. No. W-383.)

On May 28, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 dozen bottles and 42 bottles of Knoxit Liquid, at Tacoma, Wash., alleging that the article had been shipped on November 20, 1918, by the Beggs Mfg. Co., Chicago, Ill., and transported from the State of Illinois into the State of Washington, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of zinc acetate, alkaloids of hydrastis, glycerin, and water perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements, appearing on the cartons, upon the labels, and in the circulars accompanying the article, regarding the curative and therapeutic effects of the article, falsely and fraudulently represented the article to be effective as a safe, sure gonorrhœa remedy, as a great gonorrhœa remedy, as a great prophylactic, for inflammation of the mucous membranes, in the treatment of catarrhal affections of the eye, nose, throat, to be beneficial in the treatment of hemorrhoids, ulcers, for other mucous irritations, and for blen-

norrhœa, whereas, in truth and in fact, it was not, and said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed and represented for it in and by the said statements and each of them.

On June 28, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7685. Adulteration of sugar-beet meal. U. S. v. 390 Sacks of Dried Sugar-Beet Meal. Decree of condemnation, forfeiture, and destruction. (F. & D. No. 9214. I. S. No. 4408-p. S. No. E-1076.)

On August 7, 1918, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 390 sacks of dried sugar-beet meal, remaining unsold in the original unbroken packages at Norfolk, Va., alleging that the article had been shipped on or about May 16, 1918, by the Hottelet Co., Milwaukee, Wis., and transported from the State of Wisconsin into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that a certain substance, to wit, sand, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for dried sugar-beet meal, which the article purported to be. Adulteration was alleged for the further reason that the article consisted in part of a filthy and decomposed vegetable substance.

On November 8, 1919, A. Brinkley and E. Trammel, copartners, trading as the Colonial Cereal Co., and Max Hottelet, Milwaukee, Wis., having filed claim and answer and the case having come on for hearing on the pleadings, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7686. Misbranding of olive oil. U. S. v. David Silverman et al. (Rome Importing Co.). Plea of guilty. Fine, \$50. (F. & D. No. 10600. I. S. No. 14950-r.)

On October 24, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against David Silverman, Moses Silverman, and Morris Levenkind, copartners, trading as the Rome Importing Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on February 15, 1919, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was misbranded. The article was labeled in part, "Net Contents $\frac{1}{2}$ Gallon Superfine Olive Oil Rome Brand."

Examination of samples of the article by the Bureau of Chemistry of this department showed an average content of the cans of 14.52 fluid ounces, or 9.25 per cent shortage.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Net Contents $\frac{1}{2}$ Gallon," borne on the cans containing the article, regarding it, was false and misleading in that it represented that each of said cans contained $\frac{1}{2}$ gallon of the article, and for the further reason

that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said cans contained $\frac{1}{2}$ gallon of the article, whereas, in truth and in fact, each of said cans did not contain $\frac{1}{2}$ gallon of the article, but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 10, 1919, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$50.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7687. Adulteration and misbranding of cocoa. U. S. v. 4 Boxes and 9 Boxes of Cocoa and 50 Packages of Premiums. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. Nos. 11617, 11618, 11619, 11620. I. S. Nos. 15779-r, 15780-r, 15781-r, 15782-r. S. No. E-1538.)

On June 18, 1919, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure of 4 boxes, containing $\frac{1}{2}$ -pound packages, and 9 boxes, containing $\frac{1}{2}$ -pound packages, of cocoa, and 50 packages of premiums, $\frac{1}{2}$ -pound size, remaining unsold in the original packages at Winchester, Va., alleging that the article had been shipped on or about March 27, 1919, by the National Cocoa Mills, New York, N. Y., and transported from the State of New York into the State of Virginia, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "My Own Pure Cocoa."

Adulteration of the article was alleged in the libel for the reason that substances, starch and sugar, had been mixed and packed with, and substituted in whole or in part for, the article, and for the further reason that the article was mixed in a manner whereby damage or inferiority was concealed. It was alleged in substance that the article was misbranded in being labeled "Cocoa," and in that there appeared in prominent letters on the front and back panels "Pure Cocoa," and in that there appeared on each side panel in very conspicuous type, "The Cocoa Contained in this Package is Positively High Grade," which statements and representations were not sufficiently corrected by a statement stamped in an illegible manner, "My own cocoa compound containing corn starch, cocoa, sugar," and said statements were false and misleading and deceived and misled purchasers. It was alleged that the article was further misbranded in that it was an imitation of, and was offered for sale under the distinctive name of, another article, and in substance for the further reason that it was food in package form, and the quantity of contents was not declared.

On July 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7688. Misbranding of Madame Dean Antiseptic Vaginal Suppositories. U. S. * * * v. 36 Packages of Madame Dean Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 11448, 11449. I. S. Nos. 8065-r, 8066-r. S. Nos. C-1530, C-1531.)

On October 15, 1919, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation

of 36 packages of Madame Dean Antiseptic Vaginal Suppositories, remaining unsold in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped on or about July 31, 1919, and July 21, 1919, by Martin Rudy, Lancaster, Pa., and transported from the State of Pennsylvania into the State of Nebraska, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of cacao butter, salts of bismuth, aluminum, and potassium, sulphates, boric acid, tannin, and unidentified plant material.

Misbranding of the article was alleged in the libel for the reason that the statements regarding the article, borne on the cartons enclosing and containing, and in the circular and booklet accompanying the article, to wit, (outside carton) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Vaginitis, Vulvitis, Gonorrhœal Inflammation, Leucorrhœal Discharges, Inflammation, Congestion and Ulceration of the Vagina," (retail carton) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Leucorrhœa or Whites, Gonorrhœa, Inflammation, Congestion, Ulceration, and similar Female Complaints, * * *," (circular) "Madame Dean Antiseptic Vaginal Suppositories for the relief of Vaginitis, Vulvitis, Gonorrhœal Inflammation, Leucorrhœal Discharges, Inflammation, Congestion and Ulceration of the Vagina * * *," (booklet) "A Friend in Need is a Friend Indeed Madame Dean Antiseptic Vaginal Suppositories An effectual Suppository for the relief of Leucorrhœa or Whites, Gonorrhœa and similar Female Complaints," were false, fraudulent, and misleading in that the product contained no ingredient or combination of ingredients capable of producing the effects claimed for it.

On November 20, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7689. Adulteration and misbranding of tomato paste. U. S. * * * v. 173 Cases * * * and 183 Cases * * * of Tomato Paste. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 9410. I. S. Nos. 14260-r, 14261-r. S. No. E-1145.)

On October 24, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 173 cases, each containing 100 cans, and 183 cases, each containing 200 cans of a product, labeled "Concentrato Di Pomodoro Concentrated Tomato Serto Brand," remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about September 23, 1918, by the Serto Packing Co., Centreville, Md., and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that being an article of food, the article consisted in part of a filthy and decomposed vegetable substance, and it was further adulterated in that starch had been mixed with, and substituted wholly or in part for, the article which it purported to be.

Misbranding of the article was alleged in the libel for the reason that it was an imitation of, and was offered for sale under the distinctive name of, another article.

On April 22, 1920, Scaramelli & Co., Inc., claimant, consented to the entry of a decree of condemnation and forfeiture, and attachment and destruction by

the United States marshal of the product in the event, after delivery of the product to the claimant, of nonpayment of the costs of the proceedings and nonexecution of a bond in the sum of \$3,000, in conformity with section 10 of the act, by the claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7690. Adulteration and misbranding of concentrated tomato. U. S. * * * v. 182 Cases * * * and 63 Cases * * * of Concentrato Di Pomodoro * * * Concentrated Tomato Serto Brand Packed by Serto Packing Co. N. Y. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. Nos. 9397, 9398, I. S. Nos. 14252-r, 14253-r. S. Nos. E-1137, E-1138.)

On October 22, 1918, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 182 cases, each containing 200 cans, and 63 cases, each containing 100 cans, of a product, labeled "Concentrato Di Pomodoro Concentrated Tomato Serto Brand," remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about September 10, 1918, by the Serto Packing Co., Centreville, Md., and transported from the State of Maryland into the State of New York, and alleging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it being an article of food, the article consisted in part of a filthy and decomposed vegetable substance, and it was further adulterated in that starch had been mixed with, and substituted wholly or in part for, the article which it purported to be.

Misbranding of the article was alleged in the libel for the reason that it was an imitation of, and offered for sale under the distinctive name of, another article.

On April 22, 1920, Scaramelli & Co., Inc., claimant, consented to the entry of a decree of condemnation and forfeiture, and attachment and destruction by the United States marshal of the product in the event, after delivery of the product to the claimant, of nonpayment of the costs of the proceedings and non-execution of a bond in the sum of \$3,000, in conformity with section 10 of the act, by the claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7691. Adulteration and misbranding of oil of sweet birch and oil of gaultheria. U. S. * * * v. 2 Cans * * * of Oil of Sweet Birch and 3 Cans * * * of Oil of Gaultheria. Decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 11651. I. S. Nos. 534-r, 535-r, 536-r. S. Nos. E-1872, E-1873, E-1874.)

On December 9, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cans, each containing 60 pounds of a product purporting to be oil of sweet birch, and 3 cans, each containing 30 pounds of a product purporting to be oil of gaultheria, consigned November 12, November 13, and November 20, 1919, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by T. J. Ray, Johnson City, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The alleged birch oil was labeled in part, "Oil Sweet

Birch U. S. P." The alleged oil of gaultheria was invoiced as "Wintergreen Leaf Oil (Gaultheria)."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed them to contain synthetic methyl salicylate.

Adulteration of the articles, considered as drugs, was alleged in the libel for the reason that they were sold under names recognized in the United States Pharmacopœia and differed from the Pharmacopœial standard of strength, quality, and purity as therein laid down, and further in that their own strength and purity fell below the professed standard or quality under which they were sold. Adulteration of the articles, considered as foods, was alleged for the reason that synthetic methyl salicylate had been mixed and packed therewith so as to reduce, lower, and injuriously affect their quality and strength, and had been substituted wholly or in part for said products.

Misbranding of the article purporting to be oil of gaultheria and invoiced as "Wintergreen Leaf Oil (Gaultheria)" was alleged for the reason that said product was represented as being derived solely from wintergreen leaves, which was false and misleading when applied to a product consisting in part of synthetic methyl salicylate. Misbranding of this product, considered as a drug, was alleged for the reason that it was an imitation of, and offered for sale under the [distinctive] name of, another article, to wit, oil of gaultheria. Misbranding of the article, considered as a food, was alleged for the further reason that it was an imitation of, and offered for sale under the distinctive name of, another article, to wit, oil of gaultheria. Misbranding of the product labeled "Oil Sweet Birch," considered as a drug, was alleged in the libel for the reason that it was an imitation of, and offered for sale under the name of, another article, to wit, oil sweet birch. Misbranding of the article, considered as a food, was alleged for the reason that it was an imitation of, and offered for sale under the distinctive name of, another article, and for the further reason that the packages containing the product bore a statement, to wit, "Oil Sweet Birch," regarding the product contained therein, which said statement was false and misleading—false in that the article was not composed wholly of oil of sweet birch, but on the contrary consisted partly of synthetic methyl salicylate derived from sources other than sweet birch, and misleading in that it led the purchaser to believe that said product was composed wholly of oil of sweet birch, whereas it consisted in part of synthetic methyl salicylate derived from a source other than sweet birch.

On December 23, 1919, the said T. J. Ray, Newland, N. C., filed his claim for the product and also a stipulation for costs. Thereafter said claimant by his attorney filed a motion for the release of the product under bond. On February 27, 1920, the matter having come on for the disposition of said motion, after arguments by counsel, the matter was taken under advisement and on March 10, 1920, said motion was denied as will more fully appear from the following decision by the court (Hand, *D. J.*):

The claimant transported in interstate commerce the above-named merchandise which was misbranded. The articles seized had a much lower market value than the articles which the false labels described. They were branded as oil of birch and wintergreen, which are used in the manufacture of confectionery. The imitation so branded contained but a small percentage of the ingredients and consisted mainly of a chemical of different composition.

The claimant asks to be allowed to furnish a bond and to have the merchandise released so that he can sell it by correct description. It is not denied that the merchandise is not deleterious. The release of these articles after bond is in my opinion discretionary with the court. Section 10 of the Food and Drugs Act provides that any article of food that is adulterated or mis-

branded and is a subject of Interstate Commerce "shall be liable to be proceeded against in any district court of the United States within the district where the same is found and seized for confiscation by a process of libel for condemnation."

There follows in a subsequent clause in section 10 *supra*, a provision empowering "the court by order (to) direct that such articles may be delivered to the owner thereof."

This is not mandatory but clearly permissive. The claimant here has been convicted of a similar offense before and has numerous other proceedings pending against him. I regard the application as addressed wholly to my discretion and I decline to exercise it in favor of the claimant under existing circumstances. The misbranding was fraudulent and injurious to competitions in the trade.

The motion to release on bond is denied.

On May 1, 1920, said claimant having failed to file an answer to the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be sold by the United States marshal after the same had been relabeled as "Imitation of Oil of Sweet Birch," and "Imitation of Oil of Gaultheria," respectively, and that the costs of the proceedings be recovered from said claimant.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7692. Adulteration and misbranding of oats. U. S. * * * v. Armour Grain Co., a Corporation. Plea of guilty. Fine, \$1,050 and costs.
(F. & D. No. 6871. I. S. Nos. 586-k, 587-k, 589-k, 594-k, 597-k, 598-k, 599-k, 478-k, 480-k, 484-k, 485-k, 487-k, 488-k, 489-k, 26-k, 27-k, 28-k, 29-k, 3001-k, 3005-k, 1151-k, 1152-k, 1153-k, 1154-k, 1155-k, 1156-k, 1158-k, 1159-k, 1160-k, 1161-k, 1163-k, 1164-k, 1165-k, 1175-k, 1176-k.)

On March 29, 1917, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 105 counts against the Armour Grain Co., a corporation doing business at Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on December 4, 1914, December 5, 1914, December 15, 1914, December 16, 1914, December 18, 1914, December 24, 1914, December 30, 1914, December 31, 1914, January 4, 1915, January 5, 1915, and January 7, 1915, from the State of Illinois into the State of Maryland, of quantities of oats which were adulterated and misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed the presence of varying quantities of oats, barley, dirt, chaff, etc.

Adulteration of the article in each shipment was alleged in the information for the reason that certain substances, to wit, feed barley, weed seeds, screenings, dust, and oat hulls, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oats, which the article purported to be.

Misbranding of the article was alleged for the reason that it consisted of, to wit, a mixture of oats, feed barley, weed seeds, screenings, dust, and oat hulls, and was offered for sale under the distinctive name of another article, to wit, oats.

On May 29, 1920, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$1,050 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7693. Adulteration of rice shorts. U. S. * * * v. Carl Adler (Adler Export Co.). Plea of guilty. Fine, \$10. (F. & D. No. 9160. I. S. No. 8736-p.)

On November 19, 1918, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Carl Adler, trading as the Adler Export Co., New Orleans, La., alleging shipment by the said defendant, in violation of the Food and Drugs Act, on or about September 10, 1917, from the State of Louisiana into the State of Alabama, of a quantity of an article, labeled in part "Rice Shorts," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the same to contain added ground rice hulls.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, ground rice hulls, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality, and for the further reason that a substance, to wit, added ground rice hulls, had been substituted in part for rice shorts, which the article purported to be.

On May 29, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7694. Adulteration and misbranding of olive oil. U. S. * * * v. John Zeppos, Nick Antonio, and Anthony Antonio, Copartners (Alpha Importing Co.). Plea of guilty. Fine, \$15. (F. & D. No. 10293. I. S. No. 14866-r.)

On October 24, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John Zeppos, Nick Antonio, and Anthony Antonio, copartners, trading as the Alpha Importing Co., New York, N. Y., alleging shipment by said defendants, on or about October 15, 1918, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Pennsylvania, of a quantity of olive oil which was adulterated and misbranded. Said article was labeled as follows, (very small type) "Cotton seed oil flavored with" (design of Greek flags) "Pure Olive Oil" (translated from Greek) (figure of Hermes and branch of olives) "Calamata" (translated from Greek) "Net contents full quarter gallon."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that it consisted of a mixture of corn, cottonseed, and peanut oils, with probably a trace of olive oil, and that the cans were short volume.

Adulteration of the article was alleged in the information for the reason that a mixture of cottonseed oil, corn oil, and peanut oil, which contained only a trace, if any, of olive oil, had been substituted in whole or in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the following statements, to wit, "ΓΗΕΙΟΝ ΕΑΛΙΟΝ" (pure olive oil), not corrected by the statement in inconspicuous type "Cotton seed oil flavored with," and "ΚΑΛΑΜΟΝ" (Calamata), "Net Contents Full Quarter Gallon," together with the designs and devices of Greek flags, olive branches, and the figure of Hermes, borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading and

labeled so as to deceive and mislead the purchaser in that they represented that said article was pure olive oil, and that said article was a foreign product, to wit, an olive oil produced in the kingdom of Greece and that the said cans contained 1 full quarter gallon of the article, whereas, in truth and in fact, said article was not pure olive oil, but was a mixture composed of cottonseed oil, corn oil, and peanut oil, with only a trace, if any, of olive oil, and said article was not a foreign product, to wit, an olive oil produced in the kingdom of Greece, but was a domestic product, and each of said cans did not contain 1 full quarter gallon net of the article, but did contain a less amount. Misbranding of the article was alleged for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured in whole or in part in the United States of America and was branded as manufactured and produced in the kingdom of Greece, and for the further reason that it was a mixture composed of cottonseed oil, corn oil, and peanut oil, with only a trace, if any, of olive oil, prepared in imitation of olive oil, and sold under the distinctive name of another article, to wit, olive oil. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On November 12, 1919, the defendants entered a plea of guilty to the information, and the court imposed a fine of \$15.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7695. Adulteration and misbranding of aspirin. U. S. * * * v. Hance Brothers & White, a Corporation. Plea of guilty. Fine, \$100.
(F. & D. No. 11619. I. S. Nos. 15391-r, 15311-r.)

On January 27, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Hance Brothers & White, a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 26, 1919, and October 2, 1918, from the State of Pennsylvania into the State of Maryland, of quantities of an article, labeled in part "Tablets of Aspirin Five Grains" and "Compressed Tablets Aspirin (Acetyl-salicylic Acid) Five Grains," which were adulterated and misbranded.

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the tablets shipped on February 26, 1919, contained 4.11 grains of acetylsalicylic acid, and that the tablets shipped on October 2, 1918, contained 3.21 grains of acetylsalicylic acid.

Adulteration of the article with respect to the shipment of February 26, 1919, was alleged in the information for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold in that it was a product which contained less than 5 grains of aspirin per tablet, to wit, approximately 4.11 grains, and was sold as a product which contained 5 grains of aspirin per tablet. Adulteration of the article with respect to the shipment of October 2, 1918, was alleged for the reason that the strength and purity of the article fell below the professed standard and quality under which it was sold in that it was a product which contained less than 5 grains of aspirin (acetylsalicylic acid) per tablet, to wit, approximately 3.21 grains of aspirin (acetylsalicylic acid) per tablet, and was sold as a product which contained 5 grains of aspirin (acetylsalicylic acid) per tablet.

Misbranding of the article was alleged in substance in the information with respect to each of the shipments for the reason that the statement "Five

Grains," borne on the boxes containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that each of said tablets contained 5 grains of aspirin, whereas, in truth and in fact, each of said tablets did not contain 5 grains of aspirin, but did contain a less amount.

On February 13, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7696. Adulteration and misbranding of santal oil. U. S. * * * v. 1 Can of 40,000 Capsules of Santal Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10036. I. S. No. 7012-r. S. No. C-1158.)

On April 14, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 1 can of 40,000 capsules of santal oil, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about February 4, 1919, by the Evans Drug Mfg. Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding under the Food and Drugs Act, as amended. Said article was labeled in part, "Forty Thousand Sant Perle."

Analysis of a sample of the product made by the Bureau of Chemistry of this department showed that the contents of the capsules consisted of a mixture of santal oil and a fixed oil and averaged 3.11 minims.

Adulteration in violation of section 7, paragraphs 1 and 2 of the act, and misbranding in violation of section 8, paragraph 1 and general paragraph of the act, were alleged in the libel.

On March 30, 1920, no claimant having appeared for the property, it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7697. Misbranding of olive oil. U. S. * * * v. Cavanna & Co., a Corporation. Plea of guilty. Fine, \$100. (F. & D. No. 12301. I. S. Nos. 14406-r, 12697-r.)

On April 27, 1920, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Cavanna & Co., a corporation, alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about July 5, 1918, and April 26, 1919, (2 shipments), from the State of Pennsylvania into the States of Massachusetts and New York, of quantities of olive oil which was misbranded.

Examination of samples of the article by the Bureau of Chemistry of this department showed the cans to be short volume.

Misbranding of the article was alleged in the information for the reason that the statements "Net Contents One Gallon" or "One Quart" or "One Pint" or "Half Pint," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading and labeled so as to deceive and mislead the purchaser in that they represented that each of said cans contained 1 gallon or 1 quart or 1 pint or half pint of the article, whereas, in truth and in fact, each of said cans did not contain 1 gallon or 1 quart or 1 pint or half pint of the article, but did contain a less amount. Misbranding of the article was alleged for the further reason that

said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 30, 1920, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$100.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7698. Adulteration and misbranding of olive oil. U. S. * * * v. Mario Campolieti. Plea of guilty. Fine, \$60. (F. & D. No. 11968. I. S. No. 2064-r.)

On April 27, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mario Campolieti, New York, N. Y., alleging shipment on June 28, 1918, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Colorado, of quantities of olive oil which was adulterated and misbranded. Said article was labeled as follows, "Finest Quality Olive Oil Extra Pure" (picture of natives gathering olives from olive tree) "Termini Imerese Sicilia—Italia Guaranteed Absolutely Pure $\frac{1}{4}$ Gallon Net" or " $\frac{1}{2}$ Gallon Net."

Analyses of samples of the product made by the Bureau of Chemistry of this department showed that it consisted largely of cottonseed oil and was short volume.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed with the article so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged in the information for the reason that the following statements, to wit, "Finest Quality Olive Oil Extra Pure Guaranteed Absolutely Pure," "Termini Imerese Sicilia—Italia," " $\frac{1}{4}$ Gallon Net" or " $\frac{1}{2}$ Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading and labeled so as to deceive and mislead the purchaser in that they represented that said article was pure olive oil, that it was a foreign product, to wit, olive oil produced in Sicily, in the kingdom of Italy, and that each of said cans contained $\frac{1}{4}$ gallon or $\frac{1}{2}$ gallon of the article, whereas, in truth and in fact, said article was not pure olive oil, but was a mixture composed in part of cottonseed oil, and said article was not a foreign product, to wit, an olive oil produced in Sicily, in the kingdom of Italy, but was a domestic product produced in the United States of America, and each of said cans did not contain $\frac{1}{4}$ gallon or $\frac{1}{2}$ gallon of the article, but did contain a less amount.

Misbranding of the article was alleged for the further reason that it was falsely branded as to the country in which it was manufactured and produced in that it was a product manufactured and produced in whole or in part in the United States, and was branded as manufactured and produced in the kingdom of Italy, and for the further reason that it was a mixture composed in large part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil. Misbranding was alleged for the further reason that the statements on the cans as aforesaid purported that said article was a foreign product, when not so, and for the further reason that it was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On May 5, 1920, the defendant pleaded guilty to the information, and the court imposed a fine of \$60.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7699. Adulteration and misbranding of olive oil. U. S. * * * v. Giuseppe Battaglia (Southern Importing Co.). Plea of guilty. Fine, \$38. (F. & D. No. 11969. I. S. Nos. 13595-r, 14205-r, 14208-r, 14209-r, 14210-r, 14211-r, 14212-r, 14213-r, 14214-r, 14215-r, 14224-r, 14225-r.)

On May 3, 1920, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Giuseppe Battaglia, trading as the Southern Importing Co., New York, N. Y., alleging shipment on or about May 27, 1919, May 2, 1919, June 26, 1919, and April 11, 1919, in violation of the Food and Drugs Act, as amended, from the State of New York into the State of Connecticut, of quantities of olive oil which was adulterated and misbranded. The article was labeled as follows: "Finest Quality Table Oil Tipo Termini Imerese Cottonseed oil slightly flavored with Olive Oil Oicilia—Atalia Guaranteed Absolutely Pure, 1 Gallon Net," "Finest Quality Table Oil Cottonseed salad oil flavored slightly with Olive Oil Packed by Southern Importing Co. New York $\frac{1}{2}$ Gallon Net" or " $\frac{1}{4}$ Gallon Net," and "Olive Oil specialty Olive Oil 1 Gallon Net."

Analyses of samples of the product made by the Bureau of Chemistry of this department showed that the table oil consisted of cottonseed oil or soya-bean oil or a mixture of these oils and that the cans were short volume. The "Olive Oil Specialty" was short volume.

Adulteration of the article was alleged in the information in substance for the reason that substances, to wit, cottonseed oil or soya-bean oil or cottonseed oil and soya-bean oil, had been mixed and packed with the article, designated under the labels, "Finest Quality Table Oil Tipo Termini Imerese" and "Finest Quality Table Oil," so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for olive oil, which the article purported to be.

Misbranding of the article was alleged in substance in the information for the reason that the statements, to wit, "Finest Quality Table Oil Tipo Termini Imerese Oicilia—Italia" and "1 Gallon Net" or " $\frac{1}{2}$ Gallon Net" or " $\frac{1}{4}$ Gallon Net" together with the designs and devices of an olive tree and natives gathering olives, not corrected by the statement in inconspicuous type, "Cottonseed oil slightly flavored with Olive Oil," and "Finest Quality Table Oil" and "Cottonseed salad oil flavored slightly with Olive Oil," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading and labeled so as to deceive and mislead the purchaser in that they represented that said article was an olive oil, that said article was a foreign product, to wit, an olive oil produced in the kingdom of Italy, and that each of said cans contained 1 gallon or $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon net of the article, whereas, in truth and in fact, said article was not olive oil, but was a mixture composed in large part of cottonseed oil or soya-bean oil or cottonseed oil and soya-bean oil, and said article was not a foreign product, to wit, olive oil produced in the kingdom of Italy, but was a domestic product, to wit, an article produced in the United States of America, and each of said cans did not contain 1 gallon or $\frac{1}{2}$ gallon or $\frac{1}{4}$ gallon net of the article, but did contain a less amount. Misbranding of the article, designated under the label "Olive Oil Specialty," was alleged for the reason that it was labeled "1 Gallon Net," whereas it was short volume. Further misbranding of the article was alleged for the reason that said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 26, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$38.

C. F. MARVIN, *Acting Secretary of Agriculture.*

7700. Adulteration of Chili peppers. U. S. * * * v. 12 Sacks of Chili Peppers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9921. I. S. No. 7018-r. S. No. C-1111.)

On March 20, 1919, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the condemnation and forfeiture of 12 sacks of Chili peppers, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped on or about February 3, 1919, by J. A. Knapp, Garden Grove, Calif., and transported from the State of California into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On March 23, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

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